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October 22, 1991

Thomas Ryan, Esquire
Lathrop & Norquist
2600 Mutual Benefit Life Bldg.
2345 Grand Ave.
Kansas City, MO 64108

RE: United States of America vs. Edward Azrael, et al - Deposition
of LAWRENCE WALTER JENDRAS, taken on 9/19/91 by Triminie Shelton

Dear Mr. Ryan:


Enclosed is your carbon copy and the original signature page
of the above deposition taken in the above captioned case.

Please have the deponent read the entire deposition and sign
the original signature page. Should any changes or corrections
be necessary, they should be noted on the errata sheets enclosed.
Please also have the errata sheets signed.

When the deponent has read and signed the deposition, kindly
return to our office the signed signature page and signed
errata sheets.

The deponent has thirty days to read and sign. If the transcript
is not read and signed and returned to our office within the
thirty days, the transcript will be released without signature.

Sincerely,
SALOMON REPORTING SERVICE, INC.


Jane Greenlee

JG/hs
Enclosures

cc: Patricia Casano, Esquire
David Joseph, Esquire
Thomas Karaba, Esquire
Robert Abrams, Esquire
Ron Byrd, Esquire
Mark Grummer, Esquire
Inez Smith Reid, Esquire

Thomas Ligan, Esquire
Samuel Bleicher, Esquire
James Stewart, Esquire
Thomas Crowe, Esquire
Samuel Gutter, Esquire
Daniel Masur, Esquire
Robert Brager, Esquire

FAX # 301 539-8696

COPY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA, :
Plaintiff :
vs. : CIVIL ACTION
EDWARD AZRAEL, et al., : No. WN-89-2898
Defendants :

Deposition of LAWRENCE WALTER JENDRAS,
taken on Thursday, September 19, 1991, at 9:30
a.m., at the offices of Piper & Marbury, 36 South
Charles Street, Baltimore, Maryland, before
Triminnie M. Shelton, Notary Public.

Reported by:
Triminnie M. Shelton

SALOMON REPORTING SERVICE, INC.
Baltimore, Maryland (301) 539-6760

APPEARANCES:

Patricia K. Casano, Esquire,

Andrew S. Goldman, Esquire,

On behalf of the United States

Environmental Protection Agency

Pamela D. Marks, Esquire,

On behalf of the State of Maryland,

Department of the Environment

Ronald D. Byrd, Esquire,

Colleen A. Lamont, Esquire,

On behalf of Defendant Baltimore

Gas & Electric Company

Parker E. Brugge, Esquire,

On behalf of Defendant Canton Company

of Baltimore

Thomas A. Ryan, Esquire,

On behalf of Defendant

Browning-Ferris Industries, Inc.

Mark E. Grummer, Esquire,

On behalf of Defendant General

Motors Corporation

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APPEARANCES: (Continued)

Samuel I. Gutter, Esquire,
On behalf of Defendant AT&T
Technologies, Inc.

Daniel A. Masur, Esquire,
Kim Montroll, Esquire,
On behalf of Defendant City of
Baltimore

B. Mark Hausman, Esquire,
On behalf of Defendant Kewanee
Industries

Thomas L. Crowe, Esquire,
On behalf of Defendant PORI
International, Inc., specially
appearing for Anchor Post
Products, Inc.

Robert Brager, Esquire,
On behalf of Defendant Sweetheart
Cup Company, Inc.

1 APPEARANCES: (Continued)

2
3 Thomas F. Karaba, Esquire,

4 On behalf of Defendant The O'Brien
5 Corporation

6 Robert G. Abrams, Esquire,

7 On behalf of Defendant Exxon
8 Corporation

9 Inez Smith Reid, Esquire,

10 On behalf of Defendants Edward Azrael,
11 Harriet Azrael and The Estate of
12 Albert Landay

13 James Stewart, Esquire,

14 John A. Gillan, Esquire,

15 On behalf of Defendant Beatrice
16 Companies

17 Nancy J. Larson, Esquire,

18 On behalf of Defendant Container
19 Corporation of America
20
21

1 APPEARANCES: (Continued)

2
3 Samuel A. Bleicher, Esquire,

4 Richard S. Moskowitz, Esquire,

5 On behalf of Defendant Allied-Signal,

6 Inc.

7 Tom Ligan, Esquire,

8 On behalf of Defendant Armco Steel

9 David Joseph, Esquire,

10 On behalf of Defendants Crown Cork &

11 Seal and HM Holding

It is stipulated and agreed by and between counsel for the respective parties that the filing of this deposition with the Clerk of Court is hereby waived.

— — — — —

LAWRENCE WALTER JENDRAS,
being first duly sworn to tell the truth, the
whole truth, and nothing but the truth, testified
as follows:

(Whereupon, Jendras Deposition
Exhibit No. 1, affidavit, marked.)

(Whereupon, Jendras Deposition Exhibit No. 2, transcript of interview dated June 6, 1990, marked.)

EXAMINATION BY MS. CASANO:

Q. Good morning, Mr. Jendras. My name is Pat Casano, and I am with the United States Department of Justice. I am representing the Environmental Protection Agency in this proceeding.

1 Are you represented by counsel this
2 morning, Mr. Jendras?

3 A. Yes, I am. Mr. Ryan.

4 Q. I am sorry?

5 A. Mr. Ryan.

6 Q. If you would try to speak more loudly
7 during the deposition so that everyone in the room
8 can hear you.

9 Would you state your full name and
10 address for the record, please.

11 A. My full name is Lawrence Walter
12 Jendras, 6617 Danville Avenue, Baltimore,
13 Maryland. 21237 -- 21224.

14 Q. I have the feeling, Mr. Jendras, that
15 you are going to be asked a lot of questions by a
16 number of different people this morning. So if
17 you start to get tired at any point and you want
18 to take a break, just say so. If you don't
19 understand the question that has been asked,
20 please ask us to repeat it, and if you would try
21 to remember to answer the questions orally as

1 opposed to just nodding your head.

2 A. Yes.

3 Q. Are you taking any medications
4 currently, Mr. Jendras?

5 A. Not on a regular basis, no.

6 MS. CASANO: I forgot to mention that
7 we have pending a superseding case management
8 order which provides that objections made by one
9 counsel for a party are deemed to be made or will
10 be deemed to have been made by all parties, so in
11 order to reduce the number of objections that are
12 made, if we could agree that that procedure would
13 apply for today's and tomorrow's depositions, I
14 think that will expedite things.

15 Does anyone have any problem with
16 that? Okay.

17 Q. Mr. Jendras, do you recall being
18 interviewed last year by Mr. Robert Gulley, Mr.
19 Mark Grummer, Mr. Sam Gutter and Mr. William Beck?

20 A. Yes, I do.

21 Q. And do you recall that Mr. Gulley and

1 Mr. Beck were counsel for Browning-Ferris?

2 A. Yes.

3 Q. Did you meet with Mr. Gulley or any
4 other attorney representing Browning-Ferris prior
5 to that interview?

6 A. Prior to?

7 Q. Right.

8 A. Not that I remember, no.

9 Q. Do you remember whether you prepared
10 for that interview with anyone?

11 A. Yes, we had gone over it. I don't
12 really remember who was involved, but yes, we had
13 talked about it prior to, to going up there, yes.

14 Q. Do you recall that the interview with
15 Mr. Gulley and the other attorneys was recorded by
16 a court reporter just as your deposition is being
17 recorded?

18 A. Yes.

19 Q. Do you recall that at the beginning of
20 that interview you swore to tell the truth, the
21 whole truth and nothing but the truth?

1 A. Yes.

2 Q. During that interview, did you tell the
3 truth, the whole truth and nothing but the truth?

4 A. To the best of my knowledge.

5 Q. Were your answers to the questions that
6 you were asked during that interview based on your
7 personal knowledge?

8 A. Yes.

9 MR. ABRAMS: I object to the form of
10 the question, it is overbroad.

11 Q. Was that knowledge that you obtained
12 during the time that you were employed by Robb
13 Tyler, Inc.?

14 MR. ABRAMS: Object, no foundation.

15 A. Yes.

16 Q. Was that knowledge also knowledge that
17 you obtained during the course of your employment
18 by Browning-Ferris, Inc.?

19 A. Yes.

20 Q. I am going to hand you an exhibit that
21 is numbered out of order. Because of the bulk of

1 the document, I did not make extra copies of
2 this. I think that at least some counsel, if not
3 most counsel, may have it by now, and I think that
4 Mark Grummer may have brought extra copies with
5 him. We will have copies made.

6 This is the transcript of the interview
7 of Mr. Jendras that was taken last year on June 6,
8 1990.

9 Q. I am handing you a document that has
10 been marked Jendras Exhibit No. 2 and just review
11 that quickly.

12 MR. RYAN: You just want him to look at
13 the cover sheet there?

14 MS. CASANO: Right.

15 Q. Do you know what this document is, Mr.
16 Jendras?

17 A. It is the statement that we gave the
18 last time, right? At their last meeting.

19 Q. And have you seen this document before
20 today?

21 A. Yes.

1 Q. Okay. Do you recall when you saw it?

2 A. I seem to recall right after the last
3 deposition, I think it was shown to me. I don't
4 recall just how long after, but I thought I did.

5 Q. Do you recall whether you reviewed it
6 to determine whether any corrections should be
7 made?

8 A. I don't remember that.

9 Q. Did you review this document, Mr.
10 Jendras, to prepare for your deposition today?

11 A. Not that document as is shown there.
12 We had gone over some of the work.

13 Q. When you say that you had gone over
14 some of the work, do you mean that you did review
15 some documents to prepare for today's interview?

16 A. We had read it, yes.

17 Q. Mr. Jendras, I am handing you a
18 document that has been marked Jendras No. 1, and I
19 would like you to review that, please.

20 A. Yes, I am familiar with it.

21 Q. What is this document, Mr. Jendras?

1 A. This was an affidavit that I had made
2 in regard to the landfill.

3 Q. Did you prepare, I am sorry, did you
4 sign this affidavit before the interview last year
5 with Mr. Gulley and the other attorneys?

6 A. Before the interview?

7 Q. Right.

8 A. I am not certain. I don't remember.

9 Q. Okay. Before you signed this document,
10 did you review the text of the document with Mr.
11 Gulley or any other attorney?

12 A. I had read it, yes. Yes.

13 Q. Did you make any corrections or changes
14 to it before you signed it?

15 A. Not to my knowledge.

16 Q. If you would turn to the second page,
17 Mr. Jendras, of Exhibit 1, and directing your
18 attention to paragraph 13 of Exhibit 1, that
19 paragraph states that you swear that "the contents
20 of this affidavit are true and correct and are
21 based on my personal knowledge."

1 Is that a true statement?

2 A. That is a true statement.

3 MR. ABRAMS: Objection to the form of
4 the question as overbroad.

5 Q. Turning your attention to paragraph 2
6 on page 1 of your affidavit, Mr. Jendras, that
7 paragraph states that you began working as a
8 subcontractor for Robb Tyler, Inc. in 1960?

9 A. Correct.

10 Q. What kind of work did you do as a
11 subcontractor?

12 A. Drove a truck.

13 Q. You were the owner of that truck?

14 A. Yes.

15 Q. Over what period of time did you work
16 as a subcontractor for Robb Tyler?

17 A. When you say Robb Tyler, are you
18 defining just Robb Tyler or BFI and Robb Tyler?

19 Q. I would say Robb Tyler, Inc., at this
20 time Robb Tyler, Incorporated, as opposed to Robb
21 Tyler individually or BFI.

1 A. Well, BFI came in, I believe, in 1971
2 or '72, so I had been with Robb Tyler from 19 --
3 actually December of '59 until '72. And after
4 that, but of course, they changed names after
5 that. That is what I am saying.

6 Q. Right, okay. What I am trying to get
7 at, Mr. Jendras, is in the second paragraph,
8 paragraph 2 of your affidavit, you state that you
9 began working as a subcontractor for Robb Tyler in
10 1960, and then in paragraph 3 of your affidavit
11 you state that, "in the late 1960s, I transported
12 waste to the Sauer Landfill as an employee of Robb
13 Tyler, Inc."

14 A. That is correct.

15 Q. Was there a time when you were a
16 subcontractor for Robb Tyler, Inc., and then a
17 period of time during which you were an employee
18 of Robb Tyler, Inc.? Do you see any distinction
19 between being a subcontractor and an employee?

20 A. Well, the only thing that made me a
21 subcontractor, I mean, I hauled simply for Robb

1 Tyler, for no one else, just Robb Tyler,
2 Incorporated. The only thing made me a
3 subcontractor was that I had my own equipment,
4 where their regular employees operated the
5 company's equipment.

6 Q. Did you use all of your own equipment
7 or did Robb Tyler provide some of the equipment
8 that you used?

9 A. Robb Tyler provided the rig that was on
10 the truck. The truck was mine, and the equipment
11 on the rig that picked up the containers that I
12 transported belonged to Robb Tyler, Incorporated.

13 Q. How were you paid by Robb Tyler, Inc.
14 when you were working for that company?

15 A. A percentage of whatever your gross
16 income was for the week. Whatever your gross
17 income was for the week, they broke it down into
18 two percentages, one being your weekly salary, the
19 other being your pay, I mean, your truck pay,
20 which you got at the end of the month.

21 Q. Were you paid essentially a set amount

1 then and on extra amount based on the amount of
2 loads, the number of loads you had hauled?

3 A. They had a set amount for each load;
4 depending where the load was, the prices would
5 vary. The farther away, the more they paid. You
6 were paid a percentage of that, so whatever your
7 gross percentage was for the week, you got 30
8 percent as your salary every week. You got the
9 balance of it at the end of the month as your
10 truck pay or truck rent, however you want to
11 classify it.

12 Q. And is that how all of the other
13 drivers who drove for Robb Tyler, Inc. were paid
14 as well?

15 A. No, unless you were an owner-operator
16 or subcontractor, you got paid by the hour.

17 Q. Okay, there were drivers who drove for
18 Robb Tyler, Inc. who did not own their own trucks?

19 A. Oh, yes.

20 Q. Were the duties of employee drivers, as
21 I will refer to them, any different from the

1 duties of drivers who owned their own trucks?

2 A. Not your working duties, but you had
3 your own equipment to take care of if you were a
4 subcontractor or owner-operator. You had to take
5 care of your own equipment.

6 Q. Did the same people supervise the owner
7 drivers as supervised the employee drivers?

8 A. Yes.

9 Q. And were the owner drivers subject to
10 the same discipline for infractions of company
11 policy, for example, that employee drivers were?

12 A. Yes, absolutely.

13 Q. So aside from the fact that the owner
14 drivers owned their own trucks, was there any
15 difference between employee drivers and owner
16 drivers?

17 A. No. No.

18 Q. During the time that you were driving
19 for Robb Tyler and then BFI, did you make any
20 distinction between hazardous waste and
21 nonhazardous wastes?

1 MR. RYAN: Could you be a little more
2 specific? When you say distinction, in his mind
3 or on documents --

4 Q. In your own mind.

5 A. No, I can't say that. Up until
6 probably the late '70s, there was no distinction
7 between hazardous and unhazardous.

8 Q. It is fair to say, then, that up until
9 the late '70s, the customers, Robb Tyler's
10 customers did not distinguish between hazardous
11 wastes and nonhazardous wastes?

12 MR. ABRAMS: Objection to the form of
13 the question as calling for speculation, no
14 foundation.

15 A. If they did, they didn't note it to the
16 driver.

17 Q. During the 1960s and the early 1970s,
18 did you ever see any document that distinguished
19 between hazardous waste and nonhazardous waste?

20 A. There was a time when they came out
21 with a document, but I can't remember exactly what

1 year, when they came out with a hazardous waste
2 application that had to be filled out to be
3 transported.

4 Q. Was that something that Robb Tyler
5 generated or did that come from someone else?

6 A. I think that was a government affair.

7 Q. Would you call that document a
8 manifest?

9 A. Yes, I would.

10 Q. Mr. Jendras, I am going to direct your
11 attention to Exhibit 2, page 25, I am going to
12 read a couple of the questions and answers.
13 During the interview, the transcript records that
14 you were asked, beginning on line 18 on page 25:

15 "Question: Were you ever at the Sauer
16 dump for any reason other than to haul waste?

17 "Answer: I stopped by on occasion,
18 yes.

19 "Question: What would you do when you
20 stopped by?

21 "Answer: Just stopped by and chew the

1 fat a little bit with Luke or his brother.

2 "Question: Did that happen frequently?

3 "Answer: Not on a regular basis, but
4 occasionally on the way home I would stop by.

5 "Question: We have been told a lot of
6 people would sit around there and drink beer.

7 "Answer: I was never a beer drinker,
8 but I was there when the beer was drank."

9 That is the end of the quotation from
10 the transcript.

11 When you talked, Mr. Jendras, about
12 chewing the fat a little bit with Luke or his
13 brother, were you referring to Luke Sauer?

14 A. Yes.

15 Q. What was the name of his brother?

16 A. I know it but I just can't think of
17 it. Fritz, Fritz.

18 Q. Do you know why those gentlemen were at
19 the dump?

20 A. It was their business. I mean, one of
21 them lived there, it was their business, they were

1 always around.

2 Q. Which one of the brothers lived there?

3 A. Luke, I think, for a while. Fritz
4 didn't live there, I know that.

5 Q. How did you know Luke Sauer?

6 A. How did I know him? God, I have known
7 the family for years.

8 Q. Since approximately when?

9 A. Early '60s.

10 Q. Did you come to know them through the
11 waste-hauling business?

12 A. Yes.

13 Q. Did you come to know them because you
14 used the Sauer Landfill?

15 A. No, not necessarily that I used it, but
16 I have known them from being in the business. I
17 mean, we come across each other on different
18 occasions.

19 Q. When you went to a customer's to pick
20 up waste, you might run into drivers from other
21 companies who were hauling waste from that

1 customer?

2 A. Yes.

3 Q. Do you remember when you began stopping
4 by the Sauer Landfill to visit?

5 A. No, only sometime in the '60s, I can't
6 really remember when.

7 Q. Do you remember when you stopped
8 visiting the Sauer Landfill?

9 A. I never really paid any attention to
10 it, no.

11 Q. Do you remember when Sauer's landfill
12 closed?

13 A. I remember it closing. I don't know
14 the date but I remember it closing.

15 Q. Okay. Did you socialize at other
16 landfills or dumps the way that you socialized at
17 the Sauer Landfill?

18 A. I would say so.

19 Q. How did you decide which dump you were
20 going to visit when you wanted to visit?

21 A. Well, I didn't go that way. Now, the

1 Sauer Landfill, I would stop usually on the way
2 home from work, I went past it every day. It
3 wasn't a question of going out of my way. The
4 other landfills I never visited that way, but
5 during the course of the day that I may have been
6 in that landfill dumping, I may have stopped and
7 talked to drivers as well as I did the Sauer
8 drivers.

9 Q. Thank you for that clarification.
10 When you went to the Sauer Landfill to
11 socialize, would you talk with anyone besides Luke
12 and Fritz?

13 A. Well, if there was someone else there,
14 normally it was just the two of them, or on
15 occasion, John, which was one of the other fellows
16 that worked there. But most of the time it was
17 the employees of the landfill.

18 Q. Okay, was Mike Cefaloni one of the
19 persons with whom you would visit?

20 A. Yes, he was.

21 Q. Do you know if any other drivers who

1 worked for Robb Tyler also visited the Sauer
2 Landfill to socialize?

3 A. I know a lot of them have stopped on
4 their way in or out to talk, but I don't know as
5 they ever went, as I did, you know, on the way
6 home from work or anything like that -- I don't
7 know, I don't know.

8 Q. What sorts of things would you talk
9 about when you visited the dump?

10 A. Daily routine things. Whatever the
11 topic of the day was.

12 Q. Did you talk about each other's
13 customers?

14 A. I don't recall that, but it could have
15 came up a time or two. No, I don't recall that at
16 all.

17 Q. Did you ever talk about incidents that
18 had, unusual incidents, if you will, that had
19 happened to somebody when hauling someone's waste,
20 fires, for example, burns, that sort of thing?

21 A. Again, I don't remember ever doing it,

1 but it is a possibility.

2 Q. At any time when you were at Sauer's
3 landfill, did you ever see any fires at the
4 landfill?

5 A. No. Other than wintertime maybe they
6 had a fire going in the barrel, but other than
7 that, no.

8 Q. Okay. You never saw, then, any fires
9 that looked like the landfill itself were burning?

10 A. No, no.

11 Q. During the 1960s and the early 1970s,
12 Mr. Jendras, when you were hauling for Robb Tyler,
13 Inc., what landfills did you use?

14 A. Other than the Sauer Landfill?

15 Q. All of them, including the Sauer
16 Landfill.

17 A. We used what some referred to as the
18 Rosedale Landfill or North Point Road Landfill;
19 there was two entrances to Rosedale Landfill, so a
20 lot of people referred to it in different ways,
21 but it was one and the same. We dumped there. Of

1 course, in later years, we had moved to Norris
2 Farm Landfill which was a little farther down
3 North Point Road. We also had a landfill on the
4 south side of town referred to as Reedbird. Or
5 Patapsco, I don't know how you have it listed
6 there, or if you do.

7 Q. So there were three landfills that you
8 used during the 1960s?

9 MR. RYAN: When you say you, Pat, I
10 think he is confused whether you mean Robb Tyler
11 or Mr. Jendras, personally.

12 Q. Okay, you personally, what landfills
13 did you personally use during the 1960s and the
14 early 1970s?

15 A. Dumping for Robb Tyler, Incorporated,
16 that is what you are talking about?

17 Q. Right.

18 A. Those three.

19 Q. Do you know of any other dumps or
20 landfills that any other Robb Tyler drivers used
21 during that period?

1 A. No -- well, now, there could be one out
2 in the county which would be the Texas Landfill,
3 but primarily I dumped at those three; primarily
4 everyone around this area did.

5 Q. You mentioned that the Reedbird or
6 Patapsco Avenue Landfill was on the south side of
7 the city. The Rosedale and the Sauer Landfills,
8 those were on the east side of the city, correct?

9 A. Correct.

10 Q. Do you know of any other dumps that
11 were located on the east side of the city during
12 the 1960s or early 1970s?

13 A. There was one, Colgate Landfill, I
14 don't think any of us used it personally, but it
15 was an independent landfill which was close to
16 Robb Tyler's landfill.

17 Q. Directing your attention to Exhibit 1,
18 paragraph 3, Mr. Jendras, in the second sentence
19 of that paragraph, you state: "Robb Tyler, Inc.
20 used the Sauer Landfill only sporadically prior to
21 the Rosedale Landfill's closing."

1 Do you recall when the Rosedale
2 Landfill closed?

3 A. I don't have the exact date, but I
4 think it was somewhere in '68 or '69.

5 Q. When you say that Robb Tyler, Inc. used
6 the Sauer Landfill only sporadically prior to the
7 Rosedale Landfill's closing, could you give me a
8 better idea of what you meant by only
9 sporadically.

10 A. Well, I didn't use it at all
11 personally, but I had seen a truck or two on
12 occasion coming out or going in. Other than that,
13 we did not use it. That is why I say
14 sporadically.

15 Q. Do you recall which drivers were in the
16 trucks that you saw going in and out?

17 A. No, I sure don't.

18 Q. The trucks that you saw going in and
19 out were Robb Tyler trucks?

20 A. Yes.

21 Q. Would they have Robb Tyler's name on

1 them?

2 A. Yes.

3 MR. RYAN: I just want to clarify
4 that. You said the trucks going in and out; you
5 mean the occasion or two he mentioned just then,
6 or in general trucks going in and out?

7 Q. I am sorry. The trucks that you
8 indicated that you saw occasionally going in and
9 out of the Sauer Landfill were Robb Tyler --
10 actually, let me ask this completely differently.

11 Prior to the Rosedale Landfill's
12 closing, you occasionally saw Robb Tyler trucks
13 going in and out of the Sauer Landfill?

14 A. Yes.

15 Q. Okay. And you do not recall who the
16 drivers of those trucks were?

17 A. I do not, no.

18 Q. Okay. After the Rosedale Landfill
19 closed, then you used, you personally used the
20 Sauer Landfill to dump waste; is that correct?

21 A. Correct.

1 Q. Did all of the other Robb Tyler drivers
2 also use the Sauer Landfill after the Rosedale
3 Landfill closed?

4 A. After the Rosedale Landfill closed?
5 Yes.

6 Q. And for approximately how long a period
7 of time did Robb Tyler drivers use Sauer's
8 landfill after the Rosedale Landfill closed?

9 A. Probably two to three months, somewhere
10 in that area.

11 Q. Why did they, why did the Robb Tyler
12 drivers, yourself included, stop using Sauer's
13 landfill after that period of time?

14 A. Because they reopened the Robb Tyler
15 landfill.

16 Q. And which Robb Tyler landfill was that?

17 A. The Rosedale.

18 Q. Rosedale.

19 I believe that in the transcript of the
20 interview, Mr. Jendras, although I can't point to
21 the specific page, you indicated that Robb Tyler

1 drivers stopped using Sauer's landfill when the
2 Norris Farms Landfill opened. Does that refresh
3 your recollection that it was --

4 A. Yes. I am not sure, though,
5 truthfully, now that you mention it, whether we
6 did go back to Rosedale first and then to Norris
7 Farms, but it was right close together, but it
8 could have been Norris Farm.

9 Q. There was this period of time, though,
10 when Robb Tyler did not have a landfill of its own
11 available and so you dumped at, Robb Tyler drivers
12 dumped at Sauer's landfill?

13 A. True.

14 Q. Aside from that particular time period,
15 was there any other time during the 1960s or early
16 1970s when Robb Tyler did not have a landfill
17 available?

18 A. I don't recall that. It may have, they
19 may have closed Rosedale on one occasion before
20 that. And I am not sure, but I seem to believe
21 that it was closed once before for maybe four or

1 five days or something and then reopened up.

2 Q. Do you know whether during that limited
3 period of time Robb Tyler drivers used Sauer's
4 landfill?

5 A. No, I think, if I remember correctly,
6 and I wouldn't swear to this, we had gone to
7 Batavia Farm Road, which was a county landfill,
8 only for that occasion when ours were closed for
9 two or three days. I am not sure that it was in
10 that time period, but I do remember that
11 happening.

12 Q. Do you recall any period during the
13 1960s or early 1970s when restrictions were placed
14 upon the type of wastes that Robb Tyler's
15 landfills could accept?

16 A. It wouldn't have been in that time
17 period, I don't believe. In later years, it was.

18 Q. Okay. So you don't know of any
19 instance, then, during the 1960s or early 1970s
20 when Robb Tyler would have been unable to accept a
21 particular waste and that waste would have gone to

1 Sauer's landfill?

2 A. Oh, no. No, sure don't.

3 Q. Okay. Mr. Jendras, do you recall whose
4 wastes you hauled to the Sauer Landfill?

5 A. I am not sure that I recall it all. I
6 can remember a few of the stops. Greenspring
7 Dairy was one, American Bank was another, Monarch
8 Rubber Company, PORI Oil, Haven Chemical, and I
9 can't remember any more.

10 Q. Did you, when you hauled waste to the
11 Sauer Landfill, did someone tell you where to
12 dump?

13 A. Yes, they did.

14 Q. Do you remember who that was?

15 A. It was never the same person. It could
16 have been two or three different people. They
17 wasn't there every time you went in, but they were
18 there quite often.

19 Q. Okay. If you took a load to Sauer's
20 landfill and there wasn't anyone there to tell you
21 where to dump, how did you decide where to dump?

1 A. Well, it was normally crowd dumping, so
2 you just went up to wherever the activity was.
3 There was normally a bulldozer to push it, and if
4 there wasn't anyone to tell you that it had to go
5 there, you pretty much knew it had to go where the
6 bulldozer was.

7 Q. Okay. Why was that? Was that so that
8 the wastes could be covered over as soon as they
9 were dumped?

10 A. Well, they usually concentrated part of
11 the landfill -- yes, it had to be covered after
12 the end of the day, and to keep from stringing it
13 out too far, they just had one designated area.

14 Q. Did you dump waste into a trench at
15 Sauer's landfill?

16 A. Now, you say a trench, you mean a
17 trench that had been dug?

18 Q. Yes.

19 A. I don't recall that.

20 Q. Did you dump waste into any natural
21 trench, a ravine, for example?

1 A. Yes, yes, I can remember that. Yes.

2 Q. When you went to the Sauer Landfill and
3 there was a person there who told you where to
4 dump, do you know if those persons were employed
5 by Fred Sauer?

6 A. Yes.

7 Q. Do you know a gentleman by the name of
8 Edgar Smith?

9 A. Yes.

10 Q. How do you know Mr. Smith?

11 A. He worked for Robb Tyler or BFI.

12 Q. What did he do for Robb Tyler?

13 A. Heavy equipment operator.

14 Q. Okay. Did he work at Sauer's dump
15 during the period when Robb Tyler's drivers were
16 dumping at Sauer's dump?

17 A. Yes.

18 Q. What did he do there?

19 A. Operated the bulldozer.

20 Q. Was he the only person who operated a
21 bulldozer during that period?

1 MR. RYAN: For Robb Tyler.

2 A. You mean for Robb Tyler?

3 Q. For Robb Tyler at the dump?

4 A. The only one that I can recall, yes.

5 Q. Were there other persons operating
6 bulldozers at Sauer's landfill during the period
7 when Robb Tyler drivers were dumping there?

8 A. Their own operators, yes.

9 Q. Did Mr. Smith ever tell you where to
10 dump things when you took them to Sauer's
11 landfill?

12 A. No, he did not.

13 Q. Do you recall whether you ever dumped
14 waste in a trench dug by Mr. Smith at the Sauer
15 Landfill?

16 A. I don't recall seeing a trench that was
17 dug, no. A natural trench, which was because the
18 dumping would create a trench-like affair from
19 dumping pile on top of pile; on the other side of
20 that pile you had low areas, so it may appear to
21 be a trench, but I don't think it was a dug

1 trench, no.

2 Q. Do you know whether Mr. Smith ever told
3 other Robb Tyler drivers where to dump at Sauer's
4 landfill?

5 A. I don't know that, no.

6 Q. When you went to Sauer's landfill and
7 someone told you where to dump the waste, do you
8 know what determined where they told you to dump
9 the waste?

10 MR. RYAN: You mean why they told him
11 where to go?

12 MS. CASANO: Yes.

13 A. Not really. On occasion I would say
14 that the condition of the landfill had a lot to do
15 with it. I mean, if you got there after a couple
16 of days of rain, it was pretty hard to go through
17 a landfill, so if it was a better area over here,
18 you couldn't go any farther, why, he normally
19 pointed to that area and that is where you
20 dumped.

21 Q. Was Sauer's landfill a busy place

1 during the period of time when Robb Tyler's
2 drivers were dumping there?

3 A. Quite busy.

4 Q. Do you know how many loads Robb Tyler
5 drivers would take to Sauer's landfill on any
6 given day during that period?

7 A. No, truthfully, no. Not in numbers,
8 no.

9 Q. Do you know how many drivers were
10 employed by Robb Tyler during that period?

11 A. Not exactly, but probably somewhere
12 around 35 or 40.

13 Q. And what is the minimum number of loads
14 that a driver would transport on a day, on a
15 typical day?

16 A. Well, on average, probably four to five
17 loads.

18 Q. And what was the smallest size load
19 that a driver would transport on a typical day?

20 MR. RYAN: You mean any of those 35 or
21 40, or Mr. Jendras's?

1 MS. CASANO: Any of those 35 or 40.

2 MR. RYAN: If you know what the other
3 35 or 40 were doing.

4 A. My loads were probably the smallest. I
5 only had a ten-yard container on my truck. Some
6 of the others had 20s or 30s, which naturally were
7 a bigger load.

8 Q. That, you are referring to 10 cubic
9 yard or 20 cubic yard containers?

10 A. Right.

11 Q. I am not as organized as I would like
12 to be. Let me jump around a little bit here.

13 Mr. Jendras, how many entrances were
14 there to the Sauer Landfill during the time that
15 Robb Tyler drivers were dumping there?

16 A. Two, as far as I know. Two.

17 Q. And where were those entrances located?

18 A. One was located off of North Point
19 Road, and the other off of Kane Street.

20 Q. Were there any gates across the
21 entrances?

1 A. No, they used to pull a chain across
2 and lock it up in the evening, but it wasn't a
3 gate.

4 Q. Was there a fence around any portion of
5 Sauer's landfill?

6 A. No.

7 Q. Were there any signs that identified
8 Sauer's landfill?

9 A. I truthfully don't recall seeing one,
10 no. I would have to say no.

11 Q. Generally speaking, what did the
12 landfill look like during the period when Robb
13 Tyler drivers were dumping there?

14 A. I don't think there was any particular
15 difference. A landfill is a landfill. Normally,
16 you will see most of it covered, but the portion
17 that they are dumping on will be open-faced and
18 you see exactly what has been dumped throughout
19 the day.

20 MS. CASANO: Mark this as Exhibit 3,
21 please.

1 (Whereupon, Jendras Deposition
2 Exhibit No. 3, aerial photograph, marked.)

3 MS. CASANO: Back on the record.

4 Q. Mr. Jendras, I am going to show you a
5 blow-up of an aerial photograph that has been
6 marked Jendras Exhibit 3. We will establish
7 through another witness that this is a photograph
8 taken from an airplane in 1969 of the area where
9 the Sauer Landfill is located. We also will
10 establish -- may I have a red marker, please -- we
11 also will establish that the street that runs from
12 the bottom center of the photo to the center right
13 edge of the photo is Kane Street, and that the
14 road that runs from the center right edge of the
15 photo up toward the top of the photo across to the
16 left-hand edge is North Point Road.

17 We also will establish that the large
18 building or complex of buildings that appears in
19 the center of the photo, the bottom center of the
20 photo, is Patterson High School.

21 I would like you to take a look at

1 this, Mr. Jendras. I know from your interview
2 transcript that you have seen an aerial photo of
3 the site before. I don't believe it was this
4 particular photo, however, so if you would just
5 look at this and try to orient yourself to the
6 extent that you can.

7 A. Uh-huh. I recognize it.

8 Q. Okay. Do you see any objects on the
9 photo next to -- let me start over.

10 You indicated that there were two
11 entrances to the landfill, Mr. Jendras. I am
12 going to ask you to mark, if you can, on the
13 overlay above the photo where those entrances
14 would have been. You said there was one from
15 North Point Road?

16 A. One from North Point Road, and it
17 should have been right in here.

18 Q. Could you make that mark, if you would
19 mark a larger, say, an X.

20 A. I am trying to figure out now whether
21 it was lower down or whether it was here. This

1 road coming in right here --

2 Q. You can trace that on the overlay with
3 the marker, Mr. Jendras.

4 A. It should come in this way. This is
5 the one that comes in off of North Point Road.

6 MS. CASANO: Mr. Jendras has marked,
7 actually let me give you some different colors,
8 Mr. Jendras has marked in red on the overlay the
9 entrance and road leading to the landfill from
10 North Point Road.

11 Q. If you would mark in green the other
12 entrance to the landfill, Mr. Jendras.

13 MS. CASANO: Mr. Jendras has marked in
14 green the entrance to the landfill from Kane
15 Street.

16 Q. Did you use both of those entrances to
17 the landfill, Mr. Jendras?

18 A. Depending on your direction of
19 approach. If you were coming from this way, you
20 would normally turn into the left. If you were
21 coming up North Point Road, you would make a

1 right-hand turn.

2 Q. When you said if you were coming up
3 this way you would normally turn to the left, I
4 take it that you meant if you were coming up Kane
5 Street?

6 A. Kane Street, right.

7 Q. You would normally enter the dump from
8 Kane Street?

9 A. Right. If you happened to be going
10 north on North Point Road and approaching the
11 landfill, you could also make a left-hand turn
12 here and make the right-hand turn, because this
13 was a divided area here, so it was a little hard
14 to get in from the northbound side of North Point
15 Road.

16 Q. Looking at this photo, Mr. Jendras, can
17 you tell us where you dumped waste during the time
18 that you used the Sauer Landfill.

19 MR. RYAN: May I first state for the
20 record, we are assuming this is a 1969 photo; is
21 that what you said?

1 MS. CASANO: Yes.

2 MR. RYAN: Do you know what month it is
3 in '69?

4 MS. CASANO: No, I don't.

5 A. My first loads going into the landfill
6 were closer to the railroad tracks over here. In
7 other words, when you come in, the railroad tracks
8 was the area that you were dumping in.

9 Q. I am going to ask you to circle that
10 area in red, please.

11 A. Well, I am not sure exactly how close
12 here, but in this area, somewhere across here is
13 where we were dumping.

14 Q. Okay, then did you subsequently dump in
15 other areas?

16 A. Well, there was a time when we went
17 farther back, and you want me to also put that on
18 here?

19 Q. Yes, please.

20 A. Also when you just came in the landfill
21 and went right straight back, and again, it would

1 probably, depending on the condition of the
2 landfill, where there were times when you couldn't
3 get that far back under your own power, so you had
4 to dump it at a closer location which was either
5 over here or over here. Now, I don't know how
6 they determined where they wanted to dump other
7 than that, or if they did.

8 Q. Okay. Do you see anything on this
9 photo that resembles baseball diamonds?

10 A. Right over here.

11 Q. Do you see any other baseball diamonds
12 on the photo?

13 A. Right here.

14 Q. At any time when you dumped at Sauer
15 Landfill, were you close to those baseball
16 diamonds?

17 A. You couldn't see the baseball
18 diamonds. It was pretty heavy brush in here when
19 we were going over there, all this was pretty
20 heavily wooded, and no, you couldn't see it. You
21 could, in the distance you could see the building,

1 but the ball diamond being below the height of the
2 trees, you really couldn't determine.

3 Q. Okay. Do you see within this large
4 white area where you have made the red marks
5 indicating where you dumped at the landfill, do
6 you see lines that appear to be roads?

7 A. Oh, yes.

8 Q. Did you use those roads when you went
9 to the landfill?

10 A. Well, on the way back, but normally you
11 went right through the center. When you came in
12 here, you normally went right to the center of the
13 landfill.

14 Q. Okay. Is it fair to say that you
15 dumped, you could have, I am sorry, that you
16 dumped anywhere within this large white area in
17 the center of the photo?

18 MR. RYAN: That he could have dumped or
19 that he did dump?

20 Q. That you did dump?

21 A. Could have, but like I say, I can't

1 really say that it was right here or right there.
2 But most of mine was in this area here or in this
3 area here, but I can't say exactly where.

4 Q. You are familiar with the site as it
5 looks today; is that correct?

6 A. Oh, yes.

7 Q. Okay. So you know that Lombard Street
8 runs through what used to be Sauer's landfill; is
9 that correct?

10 A. Correct.

11 Q. Lombard Street was not there when you
12 dumped at Sauer's landfill?

13 A. No, it was not.

14 Q. Did Bayview Avenue run through Sauer's
15 landfill when you were there?

16 A. I don't know what they refer to as
17 Bayview Avenue. I would have to assume that the
18 road along the railroad tracks, it was railroad
19 property and I didn't know that it was available
20 for anyone else to use. I thought that was what
21 they referred to as Bayview Avenue. Now, I don't

1 know that for a fact.

2 Q. You are familiar with Lombard Street
3 now, though?

4 A. Definitely, yes.

5 Q. And where Lombard Street is located in
6 relationship to the railroad tracks; is that
7 correct?

8 A. Yes.

9 Q. Let me go back to my notes for a
10 minute. We will leave this here.

11 Okay, Mr. Jendras, I am going to turn
12 your attention back to your affidavit which is
13 Exhibit 1. Turning your attention to paragraph 4
14 of your affidavit, Mr. Jendras, you state:
15 "Dumping at the Sauer Landfill occurred over an
16 extensive area between North Point and Patterson
17 High School. Lombard Street or its predecessor
18 did not cut through the landfill. The dumping
19 there occurred on both sides of what is now
20 Lombard Street."

21 That is a truthful statement?

1 A. Judging from the map, yes.

2 Q. You personally recall dumping waste on
3 the south side of Lombard Street, the side of
4 Lombard closest to the high school?

5 MR. RYAN: Make sure he understands.
6 You are asking a different question.

7 Did you dump south of Lombard Street?

8 THE WITNESS: I really have no way of
9 knowing that.

10 Q. Okay. Do you know whether other Robb
11 Tyler drivers dumped south of Lombard Street?

12 A. Again, I don't, it is hard to say
13 because there was nothing to, that you could set
14 your sights on. There was nothing behind you but
15 woods so you don't really know -- when you come in
16 the main road here, you would either dump,
17 whichever side they were dumping on, of this
18 road. Now, not Lombard Street, but the road that
19 went through the landfill was sort of a
20 determining factor as to whether you dumped to the
21 left or to the right.

1 Q. Okay.

2 A. So now --

3 Q. I am sorry, when you say the road that
4 went through the landfill, are you referring to
5 this road?

6 A. Yes, whichever one you went to. There
7 was usually one going this way or one going this
8 way, but nevertheless, whichever way you went back
9 to the area of dumping, you either dumped on this
10 side where they were operating, back here where
11 they were operating, or right here where they were
12 operating, see, so you really don't know whether
13 you were on the south side or the north side. I
14 only know that when we first started or I first
15 started, I was closer to the railroad tracks than
16 anything else because that was clearly visible.
17 Everything back here beyond the trees was not
18 visible, and there was nothing to set your sights
19 on Lombard Street unless you seen where Lombard
20 Street came in later years. Know what I am
21 saying? It normally comes in right here and comes

1 back this way. Now, whether we were on that side
2 or on that side, whether -- I am saying me, I
3 don't know whether I was or not.

4 Q. Okay. So that when you said, when you
5 say in your affidavit that dumping occurred on
6 both sides of what is now Lombard Street, that is
7 not correct?

8 A. Well, yes.

9 MR. RYAN: That is not what he is
10 saying. You got to make sure he understands.

11 She is asking you whether that is a
12 true statement. That does not say you dumped on
13 both sides --

14 THE WITNESS: Right. I am saying,
15 looking at the map, you can clearly see that if
16 this being Lombard Street, since somebody dumped
17 on this side and somebody dumped on that side, but
18 I don't ever remember or can I say for a fact that
19 I was on this side.

20 Q. And that is because Lombard Street
21 wasn't there at the time?

1 A. Right, right, there was no line to
2 really judge whether you were on it or not. Only
3 that you were on either the south side or the
4 north side of the center of the landfill.

5 Q. And dumping did occur on the south side
6 of the center of the landfill?

7 A. It did, yes.

8 Q. Did you personally dump on the south
9 side of the center of the landfill?

10 A. I couldn't say for sure that I did, but
11 it is very possible that I did.

12 Q. Do you know whether other Robb Tyler
13 drivers dumped on the south side of the center of
14 the landfill?

15 A. Again, I would have to say that
16 possibly they did, but I don't know for a fact.
17 And that being with the muddy conditions where you
18 were not able to dump on that side, you would
19 either dump straight back or maybe to this side.

20 Q. Okay. When you went to Sauer's
21 landfill, did anyone ever tell you not to dump in

1 a particular location?

2 A. No one ever said not to dump in a
3 particular location. They normally told you where
4 to dump, you know.

5 Q. Okay. Did you ever see any signs
6 saying no dumping on any part of the landfill?

7 A. No.

8 Q. Did you ever see any signs saying no
9 dumping on any of the properties adjacent to the
10 landfill?

11 A. I don't recall seeing it, no.

12 Q. Did you ever, did you dump any
13 particular customer's waste in a particular
14 location at Sauer's landfill?

15 A. No.

16 Q. Was there any waste that you always
17 dumped in the same location at Sauer's landfill?

18 A. No.

19 Q. How much time, Mr. Jendras, would you
20 say that you actually spent at the dump during the
21 period when Robb Tyler was using Sauer's landfill?

1 A. How much time, you mean overall time or
2 at one time?

3 Q. On a typical day.

4 A. Golly, I don't know. Probably spent 15
5 or 20 minutes a trip. Normally I would make seven
6 or eight trips.

7 Q. And you would talk to other drivers
8 while you were at the landfill?

9 A. On occasion.

10 Q. Would you talk about who their
11 customers were?

12 A. Not necessarily, no.

13 Q. Did you ever talk about who their
14 customers were?

15 A. I don't recall it, no.

16 Q. Turning your attention, Mr. Jendras, to
17 paragraph 6 of your affidavit, you state that a
18 General Motors employee called Chevrolet Ray
19 hauled barrels of solvents, paints and sludge from
20 the Chevrolet plant to the Sauer Landfill.

21 How did you know Chevrolet Ray?

1 A. I seen him every day.

2 Q. Was that every day during the period
3 that Robb Tyler's drivers were using Sauer's
4 landfill, or was that for a longer period of time?

5 A. Probably a longer period.

6 Q. Where would you see him?

7 A. Usually on the landfill or on his way
8 to or from the landfill.

9 Q. Did you talk to him?

10 A. On occasion.

11 Q. How do you know that the waste that
12 he -- I am sorry, Chevrolet Ray hauled waste --

13 A. Hard to say.

14 MR. RYAN: That is easy for you to
15 say.

16 Q. I am sorry, Chevrolet Ray hauled waste
17 to the Sauer Landfill?

18 A. Correct.

19 Q. How do you know that the waste came
20 from the General Motors Chevrolet plant?

21 A. Well, for one thing, it had General

1 Motors right on the side of the truck, which was a
2 pretty good indication.

3 Q. Okay. Was there any other piece of
4 information that you had that confirmed that those
5 wastes came from General Motors?

6 A. No. Other than knowing that they did,
7 I mean, knowing Ray and knowing where he was
8 employed; other than that, no, I don't know how
9 you would.

10 Q. Okay, did you see Chevrolet Ray dump
11 the waste from the General Motors plant at Sauer's
12 landfill?

13 A. Yes.

14 Q. Was that on a daily basis?

15 A. Yes.

16 Q. Did you ever see Chevrolet Ray dump
17 waste from the General Motors Chevrolet plant on
18 the south side of the center of Sauer's landfill?

19 A. I can't remember seeing him on the
20 south side, no. I mean, I don't remember him
21 being on the south side. I just remember seeing

1 him there.

2 Q. Do you have any reason to believe -- do
3 you know whether Chevrolet Ray dumped the General
4 Motors waste in a particular location at the Sauer
5 Landfill?

6 A. I never noticed that, but I wouldn't
7 believe that it was. Other than they kind of
8 separated him from the rest of the equipment
9 because it took him a little longer to unload his
10 truck, but I don't think it was a designated area.

11 Q. Did you see Chevrolet Ray dump drums
12 and leave them at Sauer's landfill?

13 A. On occasion.

14 Q. Would that have been, did you see him
15 dump those drums in a particular location at the
16 landfill?

17 A. No. Other than being on the landfill,
18 no, I never assumed that it was any particular
19 spot.

20 Q. Turning your attention to paragraph 10
21 of your affidavit, you state that Robb Tyler, Inc.

1 hailed waste from General Motors' Chevrolet plant
2 located on Broening Highway.

3 Which Robb Tyler drivers hauled waste
4 from the Chevrolet plant?

5 A. It didn't necessarily have to be the
6 same driver all the time. I can't remember who.
7 Probably everybody had a shot at it at a time or
8 two.

9 Q. Okay. Did Robb Tyler drivers haul
10 waste from the Chevrolet plant to Sauer's
11 landfill?

12 A. I would say so, yes. I mean, we hauled
13 it. We were hauling their trash right along, so I
14 am assuming that it did go on North Point, on the
15 North Point landfill.

16 Q. When you say right along, do you mean
17 that General Motors was a Robb Tyler customer
18 during the 1960s?

19 A. Right.

20 Q. In particular, General Motors was a
21 Robb Tyler customer during the period when Robb

1 Tyler was using Sauer's landfill because their
2 Rosedale landfill had closed?

3 A. Right.

4 Q. Did you personally ever haul waste from
5 the General Motors plant to Sauer's landfill?

6 A. Not on a regular basis. I had been
7 over there once or twice.

8 MR. RYAN: You got to understand the
9 question. She said to Sauer's landfill.

10 A. Oh, to Sauer's. I am not sure of that,
11 but I had hauled General Motors on one or two
12 occasions.

13 Q. Do you know, what kinds of waste did
14 you haul from the General Motors plant?

15 A. I can't really remember. It wasn't
16 anything out of the ordinary. Most of the trash
17 that came out of there were either broken skids or
18 a whole lot of cardboard, paint cans. Probably
19 paint cans was most of mine, and maybe broken
20 skids.

21 Q. Do you know what type, what kinds of

1 wastes the other Robb Tyler drivers hauled from
2 the General Motors plant?

3 A. Primarily the same thing, only in
4 larger containers.

5 Q. Do you remember, I may have asked you
6 this already, do you remember which Robb Tyler
7 drivers hauled waste from General Motors aside
8 from yourself?

9 A. No, not exactly, no.

10 Q. Do you know whether any Robb Tyler
11 drivers ever hauled paints or solvents or sludge
12 from the General Motors plant?

13 A. I had never seen it. I don't know that
14 it hadn't been done, but I hadn't seen it.

15 Q. Do you know who decided to take the
16 waste from the General Motors plant to Sauer's
17 landfill? Was that a decision made by Robb Tyler,
18 Incorporated, or a decision made by someone at
19 General Motors?

20 A. I don't know that. I don't know.

21 Q. Do you have any reason to believe that

1 General Motors would have selected Sauer's
2 landfill as the dumping location?

3 A. I don't see any reason, no, but I don't
4 know that it is not a fact.

5 Q. On those occasions when you hauled
6 waste from the General Motors plant, who told you
7 where to take that waste?

8 A. Well, it was normally given by the
9 dispatcher if there was any need to give you
10 special orders where to take it, but normally you
11 knew where to go with it. On the occasion of
12 North Point Road, there was nowhere else to go.

13 Q. On those occasions when you hauled
14 waste from General Motors, then, I take it that
15 you were never told to take waste someplace other
16 than either a Robb Tyler landfill or the Sauer
17 Landfill?

18 A. By who?

19 Q. Your dispatcher.

20 A. No.

21 Q. Okay. Turning to paragraph 5 of your

1 affidavit, Mr. Jendras, actually -- I am sorry,
2 let me go back to General Motors for a minute.

3 You indicate in paragraph 6 of your
4 affidavit that Chevrolet Ray hauled solvents,
5 paints and sludge from the Chevrolet plant to the
6 Sauer Landfill. How do you know that the wastes
7 that he hauled were solvents, paints and sludge?

8 A. Normally a solvent is pretty hard to
9 hide. You can normally smell solvent, and that
10 was my reason for thinking that it was.

11 Q. Were there actually three distinct
12 types of substances that he hauled to the site in
13 the sense that you saw liquid, you saw sludge, you
14 saw solids?

15 A. They weren't separated, no. Normally
16 they come out of one barrel. In a lot of cases,
17 he would dump the barrels and take the barrels
18 back, and normally what you seen come out was a
19 liquid and also a hard paint-like material. Now,
20 what actually it was, I mean, what exactly it was,
21 I am not sure, but you could certainly smell the

1 solvent.

2 Q. You don't recall that you ever asked
3 Chevrolet Ray what those wastes were?

4 A. No. I sure didn't.

5 Q. And he never told you?

6 A. No.

7 Q. Turning now to paragraph 5 of your
8 affidavit, in paragraph 5 you state that North
9 Point Trash hauled for Western Electric in the
10 1960s and that you specifically recall seeing
11 Western Electric waste on a Sauer truck at the
12 landfill.

13 By landfill, did you mean the Sauer
14 Landfill?

15 A. Sauer Landfill.

16 Q. Okay. Do you know who owned North
17 Point Trash?

18 A. Fritz Sauer.

19 Q. And in paragraph 5 when you are
20 referring to Sauer, did you mean Fritz Sauer, or
21 Fred Sauer, Jr.?

1 A. Well, Fritz and Fred is one and the
2 same.

3 Q. Right.

4 A. Yes, uh-huh.

5 Q. Okay. How do you know that that waste
6 came from Western Electric?

7 A. Well, again, it was pretty obvious. It
8 was a certain material that would normally be
9 defined as Western Electric material. You could
10 see, it was hanging off of the truck, exactly what
11 it was, you know. It was normally casings from
12 wire, a cover from wire. In a lot of instances,
13 it was sort of a metallic-colored stuff and it was
14 pretty easy to define.

15 Q. To your knowledge, there were no other
16 companies in the area who generated that kind of
17 waste?

18 A. I don't think so. No.

19 Q. Did you ever ask anyone whether that
20 waste came from Western Electric?

21 A. No.

1 Q. Did anyone ever tell you that the waste
2 came from Western Electric?

3 A. No.

4 Q. Do you know which Western Electric
5 facility was the source of those wastes?

6 A. Broening Highway, but I don't know
7 which building.

8 Q. Were those wastes dumped at Sauer's
9 landfill?

10 A. Yes.

11 Q. Were they dumped in a particular
12 location at Sauer's landfill, to your knowledge?

13 A. I didn't notice that, no.

14 Q. Did you ever see the Western Electric
15 wastes dumped on the south side of the center of
16 the landfill?

17 A. Not really. I never really paid that
18 much attention to where it was being dumped. No,
19 I don't.

20 Q. Okay. Directing your attention again
21 to paragraph 5, you state that you recall seeing

1 Cefaloni at the landfill with Western Electric
2 waste during that period.

3 MR. RYAN: Pat, can we just take a
4 second and let him read paragraph 5 in its
5 entirety.

6 MS. CASANO: Sure.

7 THE WITNESS: Okay, I am ready.

8 Q. By Cefaloni, you mean Mike Cefaloni?

9 A. Mike Cefaloni.

10 Q. And when did you first meet Mr.
11 Cefaloni, do you remember?

12 A. Probably the same time I met the
13 Sauers. He has been with them for years.

14 Q. Okay, did you talk with Mr. Cefaloni?

15 A. On occasion, yes.

16 Q. Did you like Mr. Cefaloni?

17 A. Yes, for the most part.

18 Q. Did Mr. Cefaloni ever tell you that the
19 waste that you saw him with was Western Electric
20 waste?

21 A. I don't know specifically if he said

1 that. I don't recall him ever saying it, no.

2 Q. Okay. When you say that you recall
3 seeing Cefaloni at the landfill with Western
4 Electric waste, what kind of waste was that?

5 A. The kind I just identified before. It
6 was sort of a covering for most of the wiring that
7 they made down there, probably. I don't know what
8 else. A whole lot of normal trash, but you could
9 always define it by the casings that were hanging
10 off the truck or sticking up above the load.

11 Q. Did you ever see Mr. Cefaloni with -- I
12 am sorry, did you ever see anyone with Western
13 Electric waste at the Sauer Landfill and the waste
14 was a milky substance or a white liquid?

15 MR. GUTTER: Objection as to form.

16 A. No, I did not.

17 MS. CASANO: Would you read the
18 question back, please.

19 (The record was read by the reporter.)

20 Q. When you were at the Sauer Landfill,
21 did you ever see anyone disposing of a white milky

1 substance?

2 A. I had never noticed it.

3 Q. When you were at the Sauer Landfill,
4 did you ever see anyone disposing of a greenish
5 copper mud?

6 A. Greenish copper mud? I can't say I
7 did, no.

8 Q. Did you ever see Mr. Cefaloni dumping
9 any type of a liquid or sludge when he also was
10 dumping the Western Electric wire casings? I am
11 sorry, let me rephrase that.

12 Did you ever see, when you saw Mr.
13 Cefaloni dumping the Western Electric waste, did
14 you also see him dumping any type of a liquid or a
15 sludge?

16 A. No.

17 Q. Did you ever, when you saw Mr. Cefaloni
18 dumping the Western Electric waste, did you ever
19 see him dumping any drums at the Sauer Landfill?

20 A. I had not seen it, no.

21 Q. Okay. Could you describe again, Mr.

1 Jendras, the wire casing and the insulation that
2 you saw at the landfill.

3 A. Well, it is a little hard to describe,
4 but it is sort of a covering for the wire that
5 they make down there. Some of it is sort of a
6 metallic-looking color. Other is just a
7 braided-looking material, cloth-type material that
8 apparently went over top of the wires. It
9 definitely looks like a wire covering. Now
10 whether that is what it was, I am not sure, but
11 that is what it appeared to be.

12 Q. Was Western Electric a customer of Robb
13 Tyler's during the '60s and early '70s?

14 A. I was sure it was, but I don't remember
15 the date.

16 Q. Was Western Electric a customer of Robb
17 Tyler's during the period when Robb Tyler drivers
18 were using the Sauer Landfill on a regular basis?

19 A. I don't recall it being, no.

20 Q. Were there times during the 1960s when
21 Western Electric was not a customer of Robb

1 Tyler?

2 MR. RYAN: Other than what he just
3 said?

4 MS. CASANO: Right.

5 A. I really don't know that. I really
6 don't know.

7 Q. Did you personally ever haul waste from
8 Western Electric?

9 A. No.

10 Q. Do you know of any other individuals or
11 companies who hauled waste from Western Electric
12 during the 1960s and early 1970s?

13 A. I am not sure about the time, but I
14 know Bohager, for one, had that account and I
15 don't know whether it was in the time frame or
16 not.

17 Q. Did you ever see, I am sorry, when you
18 say Bohager, are you referring to Francis Bohager?

19 A. Bohager Trash.

20 Q. Bohager Trash, okay. Did you ever see
21 anyone from Bohager Trash dump Western Electric

1 waste at the Sauer Landfill?

2 A. I don't recall really seeing them dump
3 it, no. I seen their trucks on the road with a
4 Western Electric load, or what appeared to be a
5 Western Electric load, but I didn't see them dump
6 it personally.

7 Q. Do you know what dumps Bohager Trash
8 would have used in the '60s and early '70s?

9 A. I am sure he used the same ones we
10 did.

11 Q. Does that mean, then, that when the
12 Rosedale Landfill was closed, Bohager would have
13 had to use Sauer's landfill?

14 A. Yes, I am pretty sure he would have.

15 Q. Aside from Bohager, do you recall any
16 other individual or company that hauled waste from
17 Western Electric during the '60s or early '70s?

18 A. From Western Electric?

19 Q. Right.

20 A. No.

21 Q. Given the contacts that you had with

1 other drivers, do you think you would have known
2 if somebody else was hauling waste from Western
3 Electric?

4 A. Not necessarily, no. I wouldn't think
5 so.

6 Q. Turning back to General Motors for a
7 minute, aside from Chevrolet Ray and Robb Tyler,
8 do you know of any individuals or companies who
9 hauled waste from General Motors' Chevrolet plant
10 during the '60s and early '70s?

11 A. Again, I can't pinpoint the time frame,
12 but someone else had it, but I can't really
13 remember who it was. It could have been Bohager
14 again, but I am not sure of that.

15 Q. Do you recall when that might have
16 been?

17 A. I don't link it with that time period,
18 no, but I am saying somewhere along the way
19 there.

20 Q. When you say you don't link it with
21 that time period, do you mean the time period when

1 Robb Tyler's drivers were using Sauer's landfill
2 on a regular basis?

3 A. Correct.

4 Q. But it would have been sometime in the
5 '60s or the early '70s?

6 A. Yes, somewhere in there I am sure
7 someone else had it, but again I am not sure who
8 it was.

9 Q. Turning your attention to paragraph 7
10 of your affidavit, Mr. Jendras, in paragraph 7 you
11 state that: "Parker hauled fly ash for Baltimore
12 Gas & Electric to the Robb Tyler, Inc.'s Rosedale
13 landfill. I do not know whether Parker also
14 hauled it to the Sauer Landfill."

15 When you say Parker in paragraph 7, to
16 whom are you referring?

17 A. Parker Trucking Company. I am not sure
18 of his full name, but he hauled fly ash from
19 Baltimore Gas & Electric.

20 Q. Was it a Mr. Parker himself or persons
21 employed by him?

1 A. Persons employed by him. On occasion
2 he was there himself, but in most cases it was an
3 employee.

4 Q. How do you know that Parker hauled fly
5 ash for Baltimore Gas & Electric?

6 A. I seen him all the time.

7 Q. Okay. I think that you have testified
8 this morning that during the period when the,
9 after the Rosedale Landfill closed, and before,
10 actually let me start over again.

11 After the Rosedale Landfill closed and
12 before either that landfill reopened or the Norris
13 Farm Landfill opened, was Sauer's landfill the
14 only landfill available on the east side of
15 Baltimore?

16 A. Unless the Colgate Landfill was open,
17 but I don't believe that it was. But unless that
18 was open, Sauer was the only one.

19 Q. And to your knowledge, Robb Tyler's
20 drivers didn't use the Colgate Landfill during
21 that period when Robb Tyler's landfills weren't

1 available?

2 A. No, no.

3 Q. Okay. Do you know whether Parker's
4 drivers used the Colgate Landfill during that
5 period?

6 A. I don't know, no.

7 Q. Do you know whether Parker's drivers
8 used Sauer's landfill during that period?

9 A. I am not sure of that either. I never
10 seen him over there, so I couldn't say.

11 Q. Directing your attention to Exhibit 2,
12 page 36, I am going to read a series of questions
13 and answers. Beginning at line 15, you were
14 asked:

15 "Question: Did you ever, when you
16 dumped at Sauer, did you ever see any fly ash at
17 Sauer?

18 "Answer: Fly ash, all the time.

19 "Question: What did they use it for?

20 "Answer: Just for filler.

21 "Question: Would that be on the north

1 and south side of Lombard Street?

2 "Answer: Yes.

3 "Question: Did fly ash blow around a
4 lot?

5 "Answer: Yes, it did. Pretty dry.

6 "Question: Do you happen to know who
7 brought the fly ash?

8 "Answer: Parker, a guy by the name of
9 Parker had four or five dump trucks and I think he
10 probably hauled most of it.

11 "Question: Did you ever see Mr. Parker
12 haul any fly ash to the site there?

13 "Answer: Yes, I never seen Mr. Parker
14 himself, but I have seen his trucks."

15 And that is the end of the quotation
16 from the transcript.

17 I am a little confused, Mr. Jendras,
18 because your affidavit indicates that you don't
19 know whether Parker took fly ash to Sauer's
20 landfill, but the transcript clearly indicates
21 that you did see Parker's drivers with fly ash at

1 the Sauer Landfill.

2 MR. BYRD: Objection, characterizing
3 the testimony.

4 A. I seen the fly ash at the location, but
5 I never seen Parker dump the fly ash.

6 Q. You answer, when you were asked, "Do
7 you happen to know who brought the fly ash," and
8 you answered, "Parker, a guy by the name of
9 Parker, and I think he probably hauled most of
10 it," what was that answer based on?

11 A. Apparently because he hauled it over
12 our place, over at the Rosedale Landfill.

13 Q. So when you were interviewed, you
14 assumed that because Parker brought the fly ash to
15 Tyler's landfill, that he also brought the fly ash
16 to?

17 A. Correct.

18 Q. But you personally never saw any Parker
19 driver dumping fly ash at Sauer's landfill?

20 A. I did not see the driver -- at Sauer's
21 landfill? I did not see the driver dump it. I

1 seen the landfill there, I mean the fly ash there,
2 but I never seen him dump it.

3 Q. Do you know where that fly ash came
4 from?

5 A. I don't know where it all came from
6 there, but a lot of it came from the Riverside
7 plant of Baltimore Gas & Electric. The Riverside
8 plant.

9 Q. How do you know that?

10 A. I seen it come out of there on many
11 occasions.

12 Q. What you saw at the Sauer Landfill
13 looked like the fly ash that you saw come out of
14 Baltimore Gas & Electric's Riverside plant?

15 A. Right.

16 MR. BYRD: Objection.

17 Q. You never personally hauled fly ash
18 from Baltimore Gas & Electric to Sauer's landfill?

19 A. No.

20 Q. Do you know of any other Robb Tyler
21 driver who hauled fly ash from that plant to

1 Sauer's landfill?

2 A. I don't believe we did.

3 Q. Okay, do you know of any other
4 companies who generated fly ash during the 1960s
5 or early 1970s in Baltimore?

6 A. No.

7 Q. Do you know whether Parker's drivers
8 hailed fly ash from any company other than
9 Baltimore Gas & Electric?

10 A. No, I do not.

11 Q. Mr. Jendras, did you know Albert
12 Landay?

13 A. Albert Landay? No.

14 Q. Do you know Edward Azrael?

15 A. No.

16 Q. Aside from your interview that is
17 memorialized in Exhibit 2, have you spoken to
18 anyone about Sauer's landfill?

19 MR. RYAN: Other than me?

20 A. Other than --

21 Q. Other than your attorney.

1 A. No, no.

2 Q. Have you ever spoken to anyone about
3 the work, do you know that work has been done and
4 is being done at Sauer's landfill by the
5 Environmental Protection Agency and the State of
6 Maryland?

7 A. Yes.

8 Q. Have you ever talked to anybody about
9 that work?

10 A. No.

11 MR. RYAN: Pat, would this be a good
12 time to take a break?

13 MS. CASANO: Actually I think I am
14 almost finished.

15 Q. Did you ever talk to Fred Sauer, Jr.
16 about who is responsible for cleaning up the
17 landfill site?

18 A. No, I did not.

19 Q. Turning your attention to Exhibit 2,
20 Mr. Jendras, page 127, beginning with line 5, you
21 were asked:

1 "Question: Would you consider Michael
2 Cefaloni to be a truthful person?

3 "Answer: Probably not 100 percent."

4 Why did you say that?

5 A. Cefaloni liked to stretch the truth a
6 little bit. That was my only reason.

7 Q. Can you give us some examples how he
8 did that.

9 A. Well, I think it was just his nature,
10 really. I don't think he picked any particular
11 subject to stretch it on, it was just whatever the
12 occasion arose, that is what he did, and I think
13 everybody knew that.

14 Q. Did you ever know him, did you ever
15 hear him tell something that was an outright lie?

16 A. I am sure I have but I can't remember
17 what it was.

18 Q. Okay. Were these things that you
19 observed during your social visits to Sauer's
20 landfill?

21 A. Yes.

1 Q. Did you ever hear Mr. Cefaloni tell a
2 lie about something serious?

3 MR. RYAN: I'm going to object. The
4 question is vague and ambiguous. Answer as best
5 you can.

6 A. No, not really. It was just, you know,
7 everyday talk, I wouldn't say it was serious.

8 Q. Did you ever hear him tell a lie, for
9 example, about his business with a customer?

10 A. No. No.

11 Q. Do you think that Mr. Cefaloni would
12 tell a lie after having sworn to tell the truth
13 the way that you did before your deposition?

14 MR. RYAN: I will object. That calls
15 for speculation.

16 A. I don't know whether he would or not,
17 but like I say, in normal conversation he was
18 known to stretch the truth.

19 MS. CASANO: Why don't we take a brief
20 break and I think we should be finished fairly
21 quickly after we return.

1 (Recess taken.)

2 (Whereupon, Jendras Deposition
3 Exhibit No. 3-A, plastic overlay to aerial
4 photograph, marked.)

5 MR. RYAN: We just want to clarify a
6 few things after the break, two points in
7 particular. One, Mr. Jendras said he was confused
8 when he identified PORI Oil as having been hauled
9 directly to Sauer's dump during the time when Mr.
10 Jendras was going to Sauer's dump.

11 My understanding, Mr. Jendras, is you
12 do not recall taking PORI Oil to Sauer's dump; is
13 that correct?

14 THE WITNESS: I do not, no.

15 MR. RYAN: The other clarification he
16 had is Pat asked a question and we are not sure
17 how it was phrased, but the question was: Did all
18 Robb Tyler drivers use Sauer's landfill during the
19 time when Mr. Jendras and some others did.

20 Mr. Jendras, my understanding was you
21 assumed that meant all Robb Tyler drivers who

1 primarily used the east side of Baltimore; is that
2 correct?

3 THE WITNESS: That is correct. The
4 ones that were on the east side would dump at
5 Sauer's and the ones on the west side would
6 normally dump at Reedbird. However, those same
7 drivers could have been involved with the North
8 Point Road at one time or another, but if they
9 were on that side of town, they weren't going to
10 come over here to dump.

11 EXAMINATION BY MS. CASANO:

12 Q. I have a very poor sense of direction
13 and get lost in Baltimore a lot. When you talk
14 about the east side versus the west side, what are
15 you using as the dividing line?

16 A. Are you familiar with the tunnel?

17 Q. Which one?

18 A. Either one.

19 Q. Yes.

20 A. You would have to go through the tunnel
21 to get to the west side. If you were over North

1 Point Road area, you would have to go all the way
2 through the tunnel and down to Hanover Street to
3 Reedbird Landfill to dump, so it wouldn't make
4 sense to go from one side to the other side,
5 whichever way you were going. You wouldn't go
6 from here over to there to dump, or there to
7 here.

8 Q. When you say either tunnel, you are
9 referring to, I think one is officially called the
10 Harbor Tunnel, and the other one --

11 A. Well, yes, either one would do the job,
12 you know.

13 Q. All right. Mr. Jendras, I would like
14 to take you back to Exhibit 3, which is the aerial
15 photograph, for a few minutes. While we were off
16 the record, the court reporter marked as Exhibit
17 3-A the overlay on Exhibit 3 that you had made
18 some notations on.

19 Before you testified that during the
20 period when Robb Tyler was using Sauer's landfill,
21 you could enter the dump either from Kane Street

1 or from North Point Road.

2 A. Right.

3 Q. Did both of those entrances exist
4 throughout the 1960s and the early 1970s?

5 A. I don't remember it any other way.

6 Q. Okay.

7 A. As long as I can remember, they had two
8 entrances.

9 Q. Now, when you entered the dump from
10 Kane Street, did you ever turn left and head in
11 the direction of Patterson High School to dump?

12 MR. RYAN: You mean turn left up here,
13 Pat, where the red line is?

14 MS. CASANO: I am sorry, yes.

15 MR. RYAN: Left into the site.

16 Q. If you turned left off Kane into the
17 site and proceeded along the road which you have
18 identified with the green marker, when you reached
19 the end of that road, I will call it, where it
20 intersects with the red line, would you turn left
21 and head toward Patterson High School?

1 A. Yes, but it wouldn't necessarily be
2 Patterson High School. If you turn left, you are
3 actually going west, so you are in between the
4 high school and the railroad tracks.

5 Q. Okay. Turning your attention to page
6 34 of Exhibit 2, but also we are going still be
7 referring to Exhibit 3 and 3-A, beginning on page
8 34, line 1, you were asked a series of questions:

9 "Question: When you dumped, did you
10 always dump in the same location?

11 "Answer: Not necessarily. It could
12 have been anywhere in that area, could be on the
13 right side or left side all the way back,
14 depending mostly on the weather. If it was too
15 wet or too bad to get back that far, they would
16 dump up this way, a bit closer.

17 "Question: When you drive in,
18 oftentimes you would have to drive in four or five
19 hundred yards before you dump?

20 "Answer: Oh, yes; yes, sure.

21 "Question: Do you ever remember dumping

1 up in and around the baseball diamond of Patterson
2 High School?

3 "Answer: Yes. I didn't remember it
4 being the baseball diamond. It wasn't that clear
5 because of the added growth right there, but it
6 wound up, we were pretty close to the building
7 there, I mean to the field.

8 "Question: Do you see any roads on this
9 map going back into the area?

10 "Answer: This one going in and I guess
11 this one back here would be an indication of this
12 traffic going back.

13 "Question: Looking at this area, would
14 it be possible that you dumped anywhere in this
15 area?

16 "Answer: Sure, to the railroad tracks."

17 Actually I think I read further than I
18 need to. Yes, I did. Let's stop there. Okay.

19 On page 34 of your transcript, lines 3
20 through 8, you talk about going all the way back.
21 Was there some reason when you went to Sauer's

1 landfill, did you, were you normally directed to
2 dump away from Kane Street and North Point Road,
3 to go back into the landfill?

4 A. Well, you weren't directed, actually
5 directed, but you went where the activity was. In
6 other words, if you were the first truck to come
7 in in the morning, they would normally point their
8 finger which direction you had to go, and if there
9 wasn't anyone there, they would show you where to
10 go, but if you were just somewhere in the middle
11 of the day, you just went wherever the activity,
12 dumping was going on, whether it be here or here.

13 Q. Do you know whether Sauer was trying to
14 keep dumping back from Kane Street, so that it
15 wouldn't be visible from Kane Street?

16 A. I never noticed that, no, no.

17 Q. Do you know whether he was trying to
18 keep dumping back away from North Point Road?

19 A. Well, he had to dump back from North
20 Point Road. Normally the dump would start right
21 about here. This being North Point, he had to get

1 back in here.

2 Q. I would like you to draw a circle, Mr.
3 Jendras, around, actually let me just ask you one
4 question first. We will establish that this large
5 light area where you have made some, drawn two red
6 lines, is an area that has essentially been
7 stripped of vegetation, and that the darker area
8 that adjoins that light area essentially on the
9 left-hand side is vegetation. Do you recall
10 dumping close to where the vegetation begins and
11 the light colored area ends?

12 A. No, I never noticed that. Normally
13 when you went there it was, you were on the
14 landfill and that was it. But no, I don't recall
15 it being right on top of the vegetation, no.

16 Q. You didn't dump in the vegetation?

17 A. No.

18 Q. But would you have gotten close to
19 where the vegetation began without dumping on the
20 vegetation?

21 A. Not really close to it, because nine

1 times out of ten when you dump your load, it was
2 always pushed with a bulldozer which would pushed
3 it back farther to the end of where, wherever they
4 were pushing it to. So you were not always that
5 close to it. On occasion you might be, if they
6 just started a new area, you might see bare
7 ground, but normally you would dump it onto the
8 already-dumped ground and they would push it with
9 the dozer.

10 Q. Did you see wastes that had been pushed
11 or were being pushed by the bulldozer toward the
12 vegetation?

13 A. I never really noticed it that way.

14 Q. Okay.

15 A. I only noticed that it was being
16 pushed, but I didn't pay any attention to where.

17 Q. When you testified or when you stated
18 in your interview on page 34 that you would drive
19 four or five hundred yards before you dumped, was
20 that typically how far you drove?

21 A. Normally, normally.

1 Q. I would like to ask you, Mr. Jendras,
2 then, if you would, to draw a circle around the
3 area, let's do the circle in blue, where you
4 personally recall dumping when you went to the
5 landfill.

6 MR. RYAN: Okay, every single place,
7 Pat, or just --

8 MS. CASANO: Just one circle that would
9 take everything in as opposed to specific
10 locations.

11 MR. RYAN: And for this question, are
12 we assuming that this white area here is the end
13 of Sauer's dump?

14 MS. CASANO: Yes.

15 A. What I can really remember would be
16 right in this area from -- I don't know as it went
17 up this far, but I am talking about in this
18 general area right here where I put the red line,
19 and I don't know how far back up in here, but in
20 this area, kind of like this. You know, mostly
21 over here and some back here.

1 Q. Okay. So in the area bounded by the
2 blue line and the red line, although you can't be
3 sure?

4 A. Not exactly, no. It would seem to me
5 that that would be the area.

6 Q. Okay, and that is where you recall
7 dumping?

8 A. Right.

9 Q. Could you use the green marker, please,
10 and draw a line around the area where you saw or
11 know that dumping occurred, either saw dumping
12 actually occurring or saw that it had occurred.
13 If it is the same as the area that you have
14 already delineated, just let me know.

15 MR. RYAN: Pat, do you mean only during
16 the time he was there? I mean, obviously there
17 was dumping throughout the entire site. It isn't
18 clear.

19 Q. During the time that you visited
20 Sauer's landfill, what was the fullest extent of
21 the dumping? That is the area that I would like

1 you to mark.

2 A. Yes, well, I can't be sure of that
3 either, but it would definitely come as far over
4 as the railroad tracks, it would come over that
5 far --

6 Q. Okay.

7 A. And it would come all the way back into
8 here, again, and possibly over into here. Now,
9 again, I say that when you dumped it here, you
10 didn't necessarily have to dump back here for it
11 to be back here. You could have dumped it over
12 here and the bulldozers pushed it over. So I
13 remember being in this, seeing it dumped right in
14 this area, you know? But not over to the
15 vegetation. I was not close enough that I noticed
16 it being into the vegetation.

17 Q. And you make a good distinction and so
18 let me ask you to draw a circle that shows the
19 fullest extent, as you recall it, of the area
20 where waste would have been bulldozed. Does that
21 make sense?

1 MR. RYAN: If you know where it was
2 bulldozed.

3 A. Really, it would be bulldozed all over
4 the area. That is how it got there.

5 Q. If you would draw the circle then,
6 please, and we will have it memorialized.

7 MR. RYAN: Where you saw it bulldozed.

8 A. And I don't know it to go back this
9 far, but I am saying I seen the bulldozers pushing
10 it in this area. In that whole area. But like I
11 say, you didn't necessarily get back that far with
12 the truck to dump it. You may have dumped it up
13 here, maybe 150 or 200 feet away from the edge and
14 it was pushed up to wherever they wanted to put
15 it.

16 Q. So the black line indicates the fullest
17 extent of the area where you saw that wastes were
18 being bulldozed?

19 A. Right.

20 Q. I may have asked you this already, do
21 you recall the names of any of the bulldozer

1 operators aside from Mr. Edgar Smith?

2 A. Luke Sauer and, on occasion, Fritz
3 Sauer and John, I don't know whether he had his
4 name on record or not, but I don't remember his
5 last name.

6 Q. Would that have been John Miller?

7 A. John Miller, that is it.

8 Q. Thank you.

9 Turning your attention back to Western
10 Electric for a minute, Mr. Jendras, you indicated
11 that the Western Electric waste was wire casings.
12 By wire casing, do you mean insulation that is
13 around wires?

14 A. True, true. Some of it was a metallic
15 metal-type casing, some of it was cloth-type.
16 Other was just paper wrappings that looked like it
17 had come from around or hadn't gone around yet,
18 around the wire. And your basic trash. A lot of
19 stringy material.

20 Q. Stringy material?

21 A. Strings, yes.

1 Q. Do you remember what color the metallic
2 material was?

3 A. I think for the most part a shiny
4 color.

5 Q. Would you say a brass or a gold tone
6 or --

7 A. Probably brass and silver, I think I
8 seen it both ways, if I am not mistaken.

9 Q. Did you ever see anything that looked
10 like copper in that waste?

11 A. Well, the brass would have looked
12 copper, you know, copper-colored. I don't know
13 that it was copper.

14 Q. It could have been copper?

15 A. It could have been, sure.

16 Q. Did you ever see anything that, to you,
17 looked like plain old metallic wire as opposed to
18 wire casings?

19 A. I never really noticed it being wire
20 but it, yes, there was probably some in there, but
21 most of what I seen was casings, it was a mislabeled

1 wire or something to that effect.

2 Q. Okay. And I think, turning to page 99
3 of Exhibit 2, line 12 on page 99, you were asked:

4 "Question: We have been talking about
5 Chevrolet Ray and what he hauled or where he
6 hauled, and paragraph 6 of your affidavit says
7 solvents, paints and sludge. Do you remember
8 three different things or just one thing, or what
9 do you remember him hauling?

10 "Answer: It was a gob of, what they
11 call it, it looked like it might have been
12 cleaning from a spray booth or something, that is
13 what it appeared to be. I am fairly familiar with
14 the smell of thinner, I have smelled thinner on
15 occasion, but it was definitely always a solvent
16 smell in there somewhere."

17 What made you think that this material
18 that Chevrolet Ray hauled might have been from
19 cleaning a spray booth?

20 A. Well, it appeared to be a paint smell
21 or solvent smell.

1 Q. And were you familiar with General
2 Motors operations at the Chevrolet plant?

3 A. I had gone through the plant to see
4 their operations a time or two, yes.

5 Q. Do you recall when that was?

6 A. Oh, no, golly, no. It was in the
7 early, probably late '50s.

8 Q. But that is how you knew they had spray
9 booths at the General Motors plant?

10 A. I would have assumed that they did, but
11 yes, I did see it.

12 MS. CASANO: I think I am finished.

13 Mr. Jendras, this is Pamela Marks, she
14 is with the Maryland Attorney General's Office and
15 is representing the State of Maryland.

16 EXAMINATION BY MS. MARKS:

17 Q. Good morning, Mr. Jendras. I don't
18 have very many questions, so hopefully this will
19 be brief.

20 A. Okay.

21 Q. Mr. Jendras, you referred to a time

1 period in the '60s before the approximately three-
2 month period that there was dumping at the Sauer's
3 dump by Robb Tyler in which the Rosedale Landfill
4 was closed. Do you recall where the waste was
5 taken during that time period?

6 MR. RYAN: I think he has already
7 answered that.

8 A. The time when the Rosedale Landfill was
9 closed?

10 Q. Yes.

11 A. Well, that is when it went to Sauer's.

12 MR. RYAN: She is talking about the
13 time before that.

14 Q. Okay, the four to five-day period,
15 rather than the three-month period.

16 MR. RYAN: Two or three- day.

17 THE WITNESS: Oh.

18 Q. Do you recall where the waste was taken
19 during that period?

20 A. Other than the regular landfills we
21 used prior to the closing, the Reedbird, Rosedale,

1 and on occasion Baltimore County, that was it.

2 Q. Was it possible that waste was taken to
3 Sauer's dump during the four to five-day time
4 period that Rosedale was closed?

5 MR. RYAN: Object, calls for
6 speculation.

7 A. I had no way of knowing that. I
8 couldn't say.

9 Q. Do you remember ever taking waste to
10 Sauer's dump during that four to five-day time
11 period?

12 A. I don't remember, no.

13 Q. Mr. Jendras, were there ever time
14 periods in the 1960s when Robb Tyler drivers were
15 on strike?

16 MR. RYAN: '60s.

17 A. Yes.

18 Q. Did that happen more than once?

19 A. Twice that I can remember.

20 Q. How long were those strikes?

21 A. I think the earlier one was about two

1 weeks, two weeks, maybe three weeks, and the
2 second one was quite extensive, into the months.

3 Q. I am sorry, what did you say?

4 A. I say it was into the months.

5 Q. It was one month, two months?

6 A. Probably six months.

7 Q. That was the second strike?

8 A. Second strike, yes.

9 Q. Do you remember when the first strike
10 was that you are referring to?

11 A. I can't remember what year, no, I can't
12 remember what year.

13 Q. Was it in the 1960s?

14 A. The union started in the '60s, it would
15 have to have been in the '60s, yes.

16 Q. Do you recall whether it was in the,
17 was it before 1965?

18 A. I don't really recall, no, I don't.

19 Q. Were the two strikes -- let me restate
20 this. Do you remember when the second strike was?

21 A. '79 or '80.

1 Q. Do you recall whether those strikes
2 occurred before BFI acquired Robb Tyler or whether
3 they were after BFI acquired Robb Tyler?

4 A. One was after BFI and one was before.

5 Q. Referring to the first strike, was it
6 only the drivers who were on strike or were also
7 the landfill operators on strike?

8 A. I believe it was just the drivers.

9 Q. Do you know who picked up the waste
10 during that time period?

11 A. No, I do not.

12 Q. Do you know whether Robb Tyler's
13 customers had waste pickups during that time
14 period?

15 A. I am quite certain that they did.

16 Q. Do you have any idea who would have
17 picked up the waste during that time period?

18 A. No, I sure don't.

19 Q. And do you have any idea where the
20 waste would have been taken during that time
21 period?

1 A. I don't know for a fact, but some of it
2 could have gone on our landfill. I mean, the
3 landfill wasn't closed completely. There were a
4 lot of independent people still coming in.

5 Q. But, and do you know whether it could
6 have gone to any other landfills during that time
7 period?

8 A. I don't know that for a fact, but it is
9 a possibility.

10 Q. During the 1960s, was there any day of
11 the week that the Rosedale Landfill was closed?

12 A. Sunday, possibly. That would be the
13 only day.

14 Q. And what were the hours of the Rosedale
15 Landfill?

16 MR. RYAN: Don't guess.

17 A. Normally 6 o'clock to probably 6:00 or
18 7:00 in the evening.

19 Q. Mr. Jendras, much earlier in the
20 morning, you referred to people you spoke with at
21 Sauer's dump when you stopped by for visits in the

1 evening, and you mentioned somebody named John.
2 Do you recall who that would have been?

3 A. John Miller.

4 Q. John Miller.

5 During the three-month, approximately
6 three-month period of time that you were regularly
7 dumping at Sauer's dump, do you remember how many
8 bulldozers were operating?

9 A. As close as I can remember, two.

10 Q. Was that two in addition to Edgar
11 Smith, or two including Edgar Smith's bulldozer?

12 A. Well, two altogether.

13 Q. Those two bulldozers worked in the same
14 area of the landfill, close to one another, or did
15 they work in different parts of the landfill?

16 A. I really don't know. They could have
17 worked together, they could have been separated.

18 Q. Were they always in the same place
19 every time you went?

20 A. Well, they were always on the landfill,
21 but I never really paid any attention to their

1 actual location, you know. Normally you went
2 where the dozer was pushing.

3 Q. And you went to different parts of the
4 landfill on different days, I think you testified;
5 is that right?

6 A. Well, I don't think the day had
7 anything to do with it. Conditions more than
8 anything else had to do with it, pretty much
9 governed the area you were going to dump in.

10 Q. Do you ever remember seeing the
11 bulldozers working together in the same vicinity
12 of the landfill?

13 A. I wouldn't say for sure, but I would
14 have to believe that I did.

15 Q. After you would dump your waste at the
16 landfill, did you ever have occasion of seeing the
17 dozer pushing that waste to other areas of the
18 landfill?

19 A. Yes.

20 Q. Mr. Jendras, can you remember any of
21 the names of the other drivers who hauled waste

1 from General Motors?

2 A. From General Motors?

3 Q. Yes.

4 A. No, I sure can't.

5 Q. Let me turn your attention to page 74
6 of the interview statement in front of you. Page
7 74, line 15, there was a question:

8 "Question: Let's go on the record. Let
9 me ask you, can you remember the names of any
10 other drivers, Robb Tyler drivers that went to
11 General Motors?

12 "Answer: Earl Boswell hauled the
13 dumpster-type containers, possibly John Cole and
14 Charlie Booker were roll-offs.

15 "Question: What did Earl Boswell haul?

16 "Answer: He hauled the sludge
17 container."

18 I think that is all we need.

19 Mr. Jendras, does that refresh your
20 memory on who the drivers may have been?

21 A. Yes. Possibly a couple other drivers

1 too, but I can't remember who, you know.

2 Q. But do you remember whether Earl
3 Boswell was a Robb Tyler driver who hauled waste
4 from GM?

5 A. Yes, he was.

6 Q. And what about John Cole?

7 A. Also. And like I say, on occasion,
8 probably someone else, but I can't remember their
9 names.

10 Q. And did Charlie Booker haul waste from
11 GM?

12 A. Yes. Not primarily, but they were over
13 at GM, yes.

14 Q. And do you recall whether they hauled
15 any sludge from GM?

16 MR. GRUMMER: Objection to the leading
17 question.

18 A. I can't remember the big trucks, but
19 the smaller one did. Boswell.

20 Q. Do you recall that Boswell hauled
21 sludge?

1 A. Yes, he did.

2 Q. And do you recall what that sludge
3 looked like?

4 A. Just a sludge-looking material. I am
5 not sure exactly what it looked like. It just
6 looked like muck.

7 Q. And do you recall whether you ever saw
8 Boswell haul this sludge to Sauer's dump?

9 A. I never seen him dump it there, but he
10 very well could have. I never seen him dump it.

11 Q. Do you have any reason to believe that
12 Boswell took the sludge to any place other than
13 Sauer's dump during the three-month period that we
14 have discussed?

15 MR. GRUMMER: Objection, leading
16 question.

17 A. No.

18 MS. MARKS: Okay, no further
19 questions. Thank you.

20 EXAMINATION BY MS. REID:

21 Q. Mr. Jendras, my name is Inez Smith Reid

1 and I am with the firm of Graham & James. We
2 represent Edward Azrael, Harriett Azrael, and the
3 Estate of Cele Landay.

4 Ms. Casano asked you whether or not you
5 knew Landay or Azrael, and you replied no. Do you
6 know the name Cele, C-e-l-e, Landay?

7 A. I know the name but I don't know the
8 people.

9 Q. Do you know Harriett Azrael?

10 A. No.

11 Q. Did you ever hear Mr. Sauer mention the
12 name Azrael?

13 A. Not really, no.

14 Q. Did you ever hear Mr. Sauer mention the
15 name Landay?

16 A. I am not sure I heard him mention it,
17 but it was pretty obvious that Landay was a real
18 estate developer in that area. I mean, I have
19 seen his name around, but I didn't know the
20 gentleman. I know who you are speaking of, but I
21 didn't know him.

1 Q. Did you ever hear Mr. Sauer refer to
2 Mr. Landay in connection with the dump?

3 A. No.

4 MS. REID: No further questions.

5 THE REPORTER: Excuse me, Ms. Reid, are
6 you leaving?

7 MS. REID: Yes.

8 THE REPORTER: Would you like a copy of
9 the transcript? *

10 MS. REID: Yes, please.

11 EXAMINATION BY MR. GRUMMER:

12 Q. Mr. Jendras, my name is Mark Grummer,
13 and I am an attorney representing General Motors.

14 I believe earlier today you said that
15 you had looked at the transcribed statement; is
16 that correct?

17 A. Yes.

18 Q. When you looked at it, did you see
19 anything in that statement that was incorrect?

20 MR. RYAN: Well, just to clarify, I
21 don't think he said he read the statement. He has

1 seen it.

2 A. You are talking about this one now,
3 right?

4 Q. Yes, Exhibit 2.

5 A. I didn't read it thoroughly. To really
6 sit down and read the whole thing, no. I glanced
7 through it.

8 Q. When you did look at it, did you notice
9 anything in there that was incorrect?

10 A. I didn't notice anything, no.

11 Q. Have you ever, since you gave that
12 statement, has it ever occurred to you that
13 anything in there was incorrect?

14 A. No.

15 Q. So as far as you know today, you don't
16 know of anything in that statement that is
17 incorrect?

18 A. No.

19 MS. CASANO: Mark, that has a lot of
20 double negatives in there. You might want to get
21 that stated a little differently: Do you know of

1 anything that is incorrect?

2 Q. Do you know of anything in your
3 transcript that is incorrect?

4 A. No.

5 Q. So as far as you know, it is completely
6 accurate?

7 MR. RYAN: With the provision, of
8 course, he said he hasn't gone back and read it,
9 so --

10 A. To the best of my ability, yes.

11 Q. Earlier, Pat Casano asked you how you
12 distinguished the east side of town from the west
13 side of town, and I believe you said that tunnels
14 distinguished the east side from the west side?

15 A. No, I didn't say it distinguished. I
16 said if she was familiar with the tunnel, you had
17 to go from that side to this side to get to the
18 west side of town.

19 Now, I know what breaks up the city,
20 but I am not talking about the city, I am talking
21 about from that area over there to this area over

1 here, you have got a pretty good ride.

2 Q. I believe you have stated that
3 landfills on the east side of town used the
4 Rosedale Landfill, that companies that disposed of
5 trash from the east side of town used the Rosedale
6 Landfill; is that correct?

7 A. That is correct. For the most part,
8 for the most part.

9 Q. For the most part?

10 A. Yes.

11 Q. When you say the east side, how would
12 you define the east side for that purpose?

13 A. Well, the east side being, like, from
14 the Conkling Street area on, further on east, and
15 then down towards Sparrows Point. I mean, in the
16 general area of the Rosedale Landfill.

17 MS. CASANO: Was that Conkling,
18 C-o-n-k-l-i-n.

19 THE WITNESS: -- g.

20 Q. Were the two main Robb Tyler landfills
21 in Baltimore prior to 1969 Rosedale and Reedbird?

1 A. Yes.

2 Q. Were there any other Robb Tyler
3 landfills in Baltimore prior to 1969?

4 MR. RYAN: I assume you mean that Robb
5 Tyler owned or operated, used?

6 MR. GRUMMER: Used, correct.

7 A. That is the only two that I can
8 recall.

9 Q. Is there a particular street or other
10 geographical feature that would divide the
11 territory of Reedbird from that of Rosedale?

12 A. Patapsco -- that of Rosedale?

13 Q. Yes.

14 A. Not a street. There would be miles
15 that separated the two.

16 Q. What would make up the dividing line?

17 MR. RYAN: Are you asking him for,
18 like, a precise definition or just a general grasp
19 of what is east versus west?

20 Q. Would they be divided by a river or a
21 particular street? Would there be anything that

1 would indicate the territory of one from the
2 other?

3 A. Well, to start off with, you are
4 talking ten miles in between the two of them. So
5 that is your dividing point right there.

6 Q. They were ten miles apart?

7 A. Pretty close to ten miles.

8 Q. Would it generally be the case that
9 waste would go to the closest landfill?

10 A. Generally.

11 Q. Would that mean that if a company was
12 located within five miles of Rosedale itself,
13 waste probably went there rather than Reedbird?

14 MR. ABRAMS: Object to the form of the
15 question. Calls for speculation.

16 A. I would have to assume so.

17 Q. Earlier today you told us about a
18 period of time in 1969 in which you went to the
19 Sauer Landfill; do you recall that? And I believe
20 you indicated that was a period of a few months.
21 I believe you told us that during that period all

1 of the waste you hauled went to the Sauer
2 Landfill?

3 A. Yes.

4 Q. And I believe you told us that during
5 that period all wastes from Robb Tyler customers
6 that ordinarily would have gone to Rosedale went
7 to Sauer's during that period; is that correct?

8 A. That is correct, if it were on the east
9 side of town.

10 Q. So I take it that the waste from any
11 Sauer customer or from any Tyler customer on the
12 east side of town would have gone to Sauer's dump
13 during that time period?

14 MR. ABRAMS: Objection to the form of
15 the question, no foundation, calls for
16 speculation.

17 A. I would have to say that.

18 Q. What is your basis for saying that?

19 A. Well, again, you are already on the
20 east side of town. Why would you go any farther?

21 Q. I take it you are saying they would go

1 to --

2 A. The closest landfill.

3 Q. And during the period in 1969, what was
4 the closest landfill?

5 MR. RYAN: To what?

6 MR. GRUMMER: On the east side of
7 town.

8 A. North Point.

9 MR. ABRAMS: Object to the form of the
10 question. Indefinite and vague.

11 Q. During the period of 1969 on the east
12 side of town, what was the closest landfill?

13 MR. ABRAMS: Same objection.

14 A. The only landfill, North Point Road,
15 Sauer's landfill.

16 Q. Was there any other place open on the
17 east side of town than Sauer's landfill?

18 A. To my knowledge, no. Other than
19 Colgate could have possibly been, but we didn't
20 use that.

21 Q. Who did use Colgate?

1 A. Mostly independent people. I don't
2 know who, but it wasn't used by too many larger
3 companies. It was mostly a do-it-yourself deal.

4 Q. Did Robb Tyler drivers ever go to
5 Colgate?

6 A. Not to my knowledge.

7 Q. I take it that that includes the period
8 in 1969?

9 A. True. True.

10 Q. After 1969, where did wastes from Robb
11 Tyler's customers on the east side of town go?

12 A. Well, to clarify an earlier statement,
13 it either went to -- if Rosedale opened up, back
14 up again, it went to Rosedale, and if Rosedale
15 didn't open back up, it went to Norris Farm. That
16 was a BFI landfill.

17 Q. Do you know what time Rosedale finally
18 closed?

19 A. Finally closed?

20 Q. Yes.

21 A. Seems to me it was '85.

1 Q. When did it reopen?

2 A. Never reopened.

3 Q. I believe you have indicated that it
4 closed in 1969?

5 A. Norris Farm, now, we are talking about,
6 right?

7 MR. RYAN: He is not sure which one you
8 are talking about.

9 Q. Let's clarify. I will start over.
10 After Rosedale closed --

11 A. Right.

12 Q. -- did it ever reopen?

13 A. I am not sure. I am not sure. If it
14 did, it was for a short period and then we went to
15 Norris Farm. That is why I say I am not sure
16 whether we went back there or not. I am not
17 sure.

18 Q. After Rosedale finally closed, was
19 Norris Farms, did Norris Farms replace Rosedale?

20 A. Correct. It replaced Rosedale.

21 Q. So waste that previously went to

1 Rosedale later went to Norris Farms?

2 A. Correct.

3 Q. How close are Rosedale and Norris Farms
4 to each other?

5 A. Couple miles apart, probably. Maybe
6 three miles.

7 Q. Where did independent haulers on the
8 east side of Baltimore haul their wastes during
9 the 1960s and early 1970s?

10 A. To whichever landfill was operating. I
11 mean, it was open to everybody.

12 Q. When you say it was open, what are you
13 referring to?

14 A. The Norris Landfill or the Rosedale
15 Landfill.

16 Q. So did independent haulers use Rosedale
17 and later Norris Farms?

18 A. Correct, uh-huh.

19 Q. Were there any landfills other than
20 Rosedale and Norris Farms that they could have
21 used?

1 A. In the area? Or at all?

2 Q. In eastern Baltimore.

3 A. Other than the Colgate, no.

4 Q. Was all trash from eastern Baltimore
5 disposed of at Rosedale prior to 1969?

6 MR. ABRAMS: Object to the form of the
7 question as overbroad.

8 A. I can't say all.

9 Q. If you can't say all, what, where else
10 would trash from eastern Baltimore have gone prior
11 to 1969?

12 A. Well, you are saying trash. Are you
13 talking about our trash? I mean, I don't know
14 where -- it could have gone in a couple
15 directions, but I doubt that it did.

16 Q. Was it your impression that most wastes
17 from eastern Baltimore prior to 1969 were disposed
18 of at Rosedale?

19 A. I would think so.

20 MR. MASUR: Mark, my concern is when
21 you use waste in eastern Baltimore, it could be

1 household, residential trash that would have been
2 picked up by the City. If you could confine it
3 some way that would make it clearer, I would
4 appreciate it.

5 Q. Who were Robb Tyler's competitors?

6 A. Competitors now or then?

7 Q. In the 1960s.

8 A. Bohager Trash, Herb Robertson.

9 MR. ABRAMS: I am sorry?

10 THE WITNESS: Herb Robertson. There
11 were several little ones around. J&L Hauling,
12 Modern Trash. That is all I can think of
13 offhand.

14 Q. If we think only of waste hauled by
15 those companies, Bohager, Robinson, J&L Hauling,
16 Modern, prior to 1969, where did they haul their
17 trash from eastern Baltimore?

18 MR. ABRAMS: Objection, no foundation,
19 calls for speculation.

20 Q. Do you know?

21 A. No, I don't know, really. I know where

1 it could have gone, but I don't know where it
2 went.

3 Q. Did you ever observe drivers from any
4 of those companies dumping at Rosedale?

5 A. Dumping at Rosedale? Sure have.

6 Q. Do you know if they, prior to 1969, do
7 you know if they dumped anywhere else?

8 A. I don't know.

9 Q. After 1969 did you see drivers from any
10 of those companies dumping at Norris Farms?

11 A. Yes.

12 Q. After 1969 do you know if drivers from
13 those companies dumped anywhere other than Norris
14 Farms?

15 A. No, I don't.

16 Q. Earlier today we discussed Earl
17 Boswell; do you recall that?

18 A. Boswell, yes.

19 Q. Did you ever substitute for him, did
20 you ever drive one of his routes?

21 A. Not one of his routes. I picked up on

1 occasion one of his stops, but no, I never
2 substituted for him like for a whole day's work,
3 no.

4 Q. Do you have personal knowledge of
5 anyone else substituting for Boswell?

6 A. No.

7 Q. I believe earlier you were asked if you
8 had ever seen Boswell taking sludge containers to
9 Sauer's dump. Let me ask you that. Did you ever
10 see Boswell taking sludge containers to Sauer's
11 dump?

12 A. I can't say, I can't remember whether I
13 seen him taking sludge containers to the dump. I
14 seen him at the Sauer Landfill, but I can't
15 remember what he had exactly. I know he used the
16 landfill.

17 Q. Did you ever see Boswell at Sauer's
18 dump anytime other than the three-month period in
19 1969?

20 A. Dumping?

21 MR. ABRAMS: Object to the form of the

1 question. Assumes facts not in evidence.

2 A. Talking about dumping or just there?

3 Q. Let me ask first, did you ever see him
4 dumping at Sauer's dump anytime other than the
5 three-month period in 1969?

6 A. I never seen him, no, not that I can
7 remember.

8 Q. When we took your statement, I asked
9 you some questions about whether you considered
10 Boswell trustworthy. I would like to read some of
11 that transcript.

12 MR. RYAN: What page is that?

13 MR. GRUMMER: Page 122, I am looking at
14 line 11. This is referring to Boswell.

15 Q. "Would you consider him to be
16 trustworthy and truthful?

17 "Answer: To my knowledge, yes."

18 End of quotation.

19 Do you still have the same view today?

20 A. What? Did I consider him trustworthy?

21 Q. Yes.

1 A. Yes, uh-huh.

2 Q. If I asked you to compare Boswell to
3 Cefaloni, who would you consider more trustworthy?

4 A. That is an unfair question, but I would
5 have to say Boswell.

6 Q. I believe you testified earlier that
7 the Robb Tyler dispatcher told you where you
8 should dump; is that correct?

9 A. Only if there was a reason for taking a
10 load somewhere else. You know, most of the time
11 it was just common knowledge that you went to the
12 landfill that was operating, and unless he had
13 something in particular, like, on occasion we get
14 a load from a place like American Bank, which went
15 to the incinerator to be burnt. That was the only
16 time you ever got any information from the
17 dispatcher. I mean, normally you knew where to
18 go.

19 Q. I take it what you are saying is it
20 wasn't necessary for the dispatcher to tell you
21 every load, every day, where to go?

1 A. Correct.

2 Q. But was the dispatcher the person with
3 authority to tell you where to go?

4 A. Oh, definitely.

5 Q. During the three-month period in 1969,
6 was the dispatcher the person with authority to
7 tell you where to dump? Did that change during
8 the three-month period in 1969?

9 A. I don't think it changed, no. I mean
10 if the occasion arose, why, he would be there to
11 tell you where to go.

12 Q. Did the dispatcher tell you to dump at
13 Sauer's during the three-month period in 1969?

14 A. I don't think he told me personally.
15 It was told to us that we would take it to
16 Sauer's, but our landfill was closed.

17 Q. When you say it was told to us, how was
18 it told to you?

19 A. Well, there may be a note up on the
20 bulletin board or something to that effect. I
21 don't remember exactly how it was told, I don't

1 think anybody told me personally.

2 Q. Can you remember how you learned that
3 you were supposed to go to Sauer's?

4 A. No, I really can't.

5 Q. Is it your recollection that in some
6 fashion an instruction was given to go to Sauer's?

7 A. I would have to believe that if our
8 landfill was closed, somebody would have had to
9 say where to go, but I can't remember it being
10 personally.

11 Q. But it was your impression, I take it,
12 that you were supposed to go to Sauer's?

13 A. Yes.

14 Q. That is, that your employer, Robb
15 Tyler, wanted you to go to Sauer's?

16 A. Correct.

17 Q. Was there an individual who would have
18 been your supervisor?

19 A. You mean other than the dispatcher?

20 Q. Would you have described the dispatcher
21 as your supervisor?

1 A. Well, in a fashion, because he really
2 gave out all the orders that, he handed them out
3 from someone else. Probably the -- Lou Warns, I
4 would have to say, would be the man who would pass
5 out most of the orders.

6 Q. Whether the dispatcher told you so or
7 not, did the dispatcher want you to go to Sauer's
8 during that three-month period in 1969?

9 MR. RYAN: Objection, calls for
10 speculation.

11 A. I don't know.

12 Q. When you went to Sauer's, did you pick
13 up a ticket when you entered Sauer's dump?

14 A. Yes.

15 Q. Can you describe who you picked it up
16 from and where you picked it up?

17 A. Well, at your entrance to the landfill,
18 there was a little booth there where there was
19 normally a man on duty that wrote the ticket out
20 for you. Wrote the ticket out and handed it to
21 you, either in or out, didn't really matter, you

1 didn't go across the scale. He just wrote a
2 ticket.

3 MS. CASANO: I am sorry, I think he
4 answered you about the person at the landfill, and
5 I thought your question was where you picked the
6 waste up at GM. Did I misunderstand?

7 MR. GRUMMER: I intend to ask about the
8 landfill.

9 MS. CASANO: Okay, I misunderstood.
10 Never mind.

11 Q. So in any event, you did pick up a
12 ticket at Sauer's landfill?

13 A. Correct.

14 Q. Can you remember who the individual was
15 that gave you the ticket?

16 A. No. In a lot of cases it was Luke
17 Sauer or Fritz Sauer.

18 Q. Was it always a Sauer's employee?

19 A. Most of the time. Oh, definitely an
20 employee, but most of the time it was one of the
21 Sauers.

1 Q. Was it ever a Robb Tyler employee
2 giving you a ticket?

3 A. No.

4 Q. I believe you stated that there was
5 always someone telling you where to dump; is that
6 correct?

7 MR. RYAN: I think he said earlier it
8 wasn't always --

9 A. Not always, no. If you were there
10 early and there was no indication of loads being
11 dumped, then he would tell you where to go, but if
12 there was something already dumped, you pretty
13 well knew where to go.

14 Q. When there was someone telling you
15 where to dump, was it always a Sauer's employee?

16 A. Yes.

17 Q. I take it it was never a Robb Tyler
18 employee?

19 A. To my knowledge, no.

20 Q. I believe earlier you stated that there
21 were usually two bulldozers operating at Sauer's

1 dump; is that correct?

2 A. Correct.

3 Q. Would you go to one or the other of
4 those bulldozer operators in particular, or would
5 you go to either one?

6 A. Either one.

7 Q. Would you sometimes go to Luke Sauer's
8 bulldozer?

9 A. Yes.

10 Q. So I take it you didn't restrict
11 yourself to going to Edgar Smith?

12 A. No.

13 Q. The two bulldozer operators, was there
14 any particular place in relationship to each other
15 that they would be?

16 MR. RYAN: I think this has already
17 been covered, but go ahead.

18 A. I can't remember it being, no.

19 Q. Was one or the other of them more often
20 to the south?

21 A. To the south?

1 Q. Yes.

2 A. I can't -- no, I can't remember any
3 particular location. I mean, normally there was
4 one on the right-hand side, and occasionally there
5 were two on the right-hand side, but in other
6 cases, the second one was on the left-hand side.

7 Q. When you say right and left --

8 A. I am saying the center of the landfill;
9 in other words, when you go across the landfill,
10 you have got what seems to be a road and then it
11 comes to a big mud puddle, so you will either go
12 to the end of it or go as far as you can go and
13 then back either way, whichever side the dozer was
14 operating on.

15 Q. When you say right and left, how does
16 that compare to north and south?

17 A. Right being north, left being south.

18 Q. Was one bulldozer or the other more
19 likely to be on the left or the right?

20 A. Not that I noticed.

21 Q. Did you ever see Edgar Smith on his

1 bulldozer down in the trench that was -- let me
2 say, a trench dug in the ground?

3 A. No, I had not.

4 Q. I believe earlier you stated that after
5 wastes were dumped at Sauer's, a bulldozer would
6 push it around. Do you recall that?

7 A. Yes.

8 Q. Can you give us any idea how far a
9 bulldozer might push it?

10 A. I never really paid that much attention
11 to it, but again, depending on the weather, if you
12 couldn't get in far enough to dump your load at
13 the end of the landfill area, then the dozer had
14 to push it that far or possibly farther.

15 Q. Would a bulldozer ever push waste from
16 the center of the landfill to the edge of the
17 landfill?

18 A. Probably, yes, probably.

19 Q. Did you ever see a bulldozer doing
20 that?

21 A. I can't say that I really watched him

1 do it, but I am sure it was done, because when you
2 dump it on the pile, it has to go somewhere to
3 retain the flat surface, so they just shove it to
4 the end of the landfill.

5 Q. Would a bulldozer push wastes, say,
6 more than a hundred yards?

7 MR. RYAN: If you know. Don't
8 speculate.

9 A. It would be unlikely that it would go
10 more than a hundred yards.

11 Q. When there was a person directing you
12 where to dump, where would that person be
13 standing?

14 A. Normally in the middle of the landfill
15 somewhere where the trucks were approaching.

16 Q. Can you remember any individuals who
17 were doing that?

18 A. No, not offhand, I can't remember.

19 Q. Would Luke Sauer have been doing that?

20 A. He could be, yes. If he wasn't on the
21 bulldozer, he could very well be out there.

1 Q. Do you recall any type of structure out
2 on the landfill where someone might have stood
3 giving directions where to dump?

4 A. Other than the little shack coming in
5 the landfill, no, I don't recall anything.

6 Q. You do recall a little shack?

7 A. Oh, yes.

8 Q. Where was that little shack located?

9 A. On the approach to the landfill, well,
10 if you want to look at the map here, right where
11 the red and the green intersect, right at that
12 corner was a little shack.

13 Q. You have indicated where the red and
14 green lines indicating the two entrances to the
15 landfill intersect; is that correct?

16 A. Right, right here, actually.

17 Q. I take it you visited Sauer's
18 throughout the day and your visits were not
19 limited to any one particular time during the day?

20 A. No, they were not.

21 Q. They were not limited?

1 A. No.

2 MR. RYAN: You say visited, Mark; are
3 you talking about when he was driving a truck or
4 social visits?

5 MR. ABRAMS: Can I have the question
6 and answer back.

7 (The record was read by the reporter.)

8 Q. Let me clarify that by saying when you
9 went to the landfill to dump, did you dump at the
10 landfill at any time during the day?

11 A. Any time, yes.

12 Q. Earlier we discussed fly ash and I was
13 somewhat confused between your affidavit and your
14 transcript. I believe you testified that you saw
15 fly ash at Sauer's; is that correct?

16 A. Correct.

17 Q. Did you ever see fly ash dumped at
18 Rosedale?

19 A. At Rosedale?

20 Q. Yes.

21 A. Yes.

1 Q. And did you know who sent it there or
2 do you know who generated that fly ash?

3 A. I don't know really who gen -- I would
4 have to assume that it was The Baltimore Gas &
5 Electric Riverside plant, because I seen the
6 trucks coming out of there, and the trucks came to
7 the landfill.

8 Q. Earlier we talked about your status as
9 an owner-operator. I would like to go to the
10 transcript of your earlier statement and I would
11 like to review a portion of that with you. I will
12 quote from it. This is beginning at page 52, line
13 5:

14 "Question: Earlier you talked about
15 your status or relationship with Robb Tyler when
16 you started there, and I believe you described
17 yourself as an owner-operator?

18 "Answer: Yes.

19 "Question: Any other term you would use
20 to describe yourself, your status at that time?

21 "Answer: Owner-operator,

1 owner-operator, subcontractor.

2 "Question: Is subcontractor a term that
3 you used?

4 "Answer: Yes.

5 "Question: What did that mean other
6 than you owned your own truck?

7 "Answer: That is primarily what it
8 meant. You were hauling trash for Robb Tyler,
9 Incorporated. That is all I hauled for Robb
10 Tyler, Incorporated with my piece of equipment.

11 "Question: Did you do any free-lance
12 jobs any where you picked up for somebody and they
13 paid you and you kept all of what they paid you?

14 "Answer: No.

15 "Question: So everything you hauled
16 during the period in which you were a
17 subcontractor was from a Robb Tyler customer; is
18 that correct?

19 "Answer: Yes.

20 "Question: It was for Robb Tyler?

21 "Answer: For Robb Tyler.

1 "Question: Did you consider yourself a
2 Robb Tyler employee?

3 "Answer: Yes.

4 "Question: Did Robb Tyler take Social
5 Security out of your paycheck?

6 "Answer: Yes, he did.

7 "Question: Do you think other people at
8 the company at Robb Tyler considered you an
9 employee?

10 "Answer: Other people meaning who?

11 "Question: The people you worked with.
12 The other truck drivers.

13 "Answer: I would have to believe so. I
14 was doing the same thing they were doing."

15 That is the end of my quotation.

16 Having gone over that, would you change
17 any answers if I asked you those same questions
18 now?

19 A. No.

20 MR. GRUMMER: Off the record.

21 (Discussion off the record.)

1 (Whereupon, Jendras Deposition
2 Exhibit Nos. 4 through 9, documents regarding
3 personnel, marked.)

4 Q. Did Robb Tyler withhold federal income
5 tax from your paycheck?

6 A. Yes, he did.

7 Q. I would like to direct your attention
8 to the transcript of your statement and
9 specifically to page 112 at line 15, and I would
10 like to read a brief portion of the transcript:

11 "Question: When you worked for Robb
12 Tyler as an owner-operator, who set the fees that
13 the customers would pay?

14 "Answer: Robb Tyler's office.

15 "Question: And when money changed
16 hands, did it go from the customer directly to
17 Robb Tyler?

18 "Answer: Absolutely."

19 Would you answer those questions any
20 differently if I asked them now?

21 A. No differently. Same way.

1 MR. GRUMMER: Off the record.

2 (Discussion off the record.)

3 Q. I am going to hand you what has been
4 marked Exhibit 4. It is an eight and a half by
5 14, single sheet of paper and at the top it says
6 Official Start Time. During your previous
7 interview, we marked it as Exhibit 2.

8 Can you take a look at it and describe
9 it, and can you tell me if you have ever seen
10 Exhibit 4 before.

11 A. Yes, sir, I am sure I have.

12 Q. Can you tell me what it is.

13 A. It is just a piece of paper indicating
14 what time that each driver starts, giving the
15 route number, start time, the type of vehicle he
16 drove and his name.

17 Q. Does your name appear on Exhibit 4?

18 A. Sure does.

19 Q. Does anything on Exhibit 4 distinguish
20 between owner-operators and employees?

21 A. Nothing on here indicates, no.

1 Q. Thank you, I have no more questions on
2 that exhibit.

3 I am now handing you what has been
4 marked Exhibit 5. During your previous interview,
5 it was marked Exhibit 3. It is entitled Seniority
6 List, it is a two-page document, and I am handing
7 that to you now.

8 Can you look at Exhibit 5 and tell me
9 if you have ever seen that before.

10 A. Many times. The seniority list, again,
11 with all the drivers listed and their starting --
12 I mean, their starting dates listed.

13 Q. Does your name appear on Exhibit 5?

14 A. It does, indeed.

15 Q. Does anything on Exhibit 5 distinguish
16 between owner-operators and other employees? Let
17 me rephrase that, between owner-operators and
18 employees of Robb Tyler?

19 A. No, other than you got it circled and
20 you got two owner-operators circled. That is
21 all.

1 MR. KARABA: Which two are circles?

2 THE WITNESS: Two owner-operators,
3 Jendras and Boswell.

4 Q. Do you know who placed those circles --

5 A. No, sir, sure don't.

6 Q. -- on Exhibit 5?

7 A. No.

8 Q. I am handing you Exhibit 6. Exhibit 6
9 is a one-page document and it states at the top
10 Robb Tyler, Inc. in large type.

11 Can you tell me if you have ever seen
12 that before?

13 A. I sure have.

14 Q. Can you very briefly describe to me
15 what that document is about.

16 A. It is a notice. It was probably either
17 sent to each one of the indicated people,
18 notifying them that there would be a safety
19 meeting scheduled for 3/71 involving a vehicle
20 accident and Henry Cureton, which is one of the
21 drivers.

1 Q. This document is listed as being
2 directed to several individuals. Could you tell
3 us who those individuals are.

4 A. Francis Jenifer, Will Savage, Henry
5 Cureton, Larry Jendras, John Czyzia.

6 Q. Of those five people, Francis Jenifer,
7 Will Savage, Henry Cureton, Larry Jendras, John
8 Czyzia, which, if any, were owner-operators?

9 A. Jendras.

10 Q. I take it that is you?

11 A. That is it.

12 Q. Okay. Let me hand you Exhibit 7 which
13 is a two-page document on eight and a half by 14
14 paper, and it bears the date 7/19/71 at the top.
15 Can you tell me if you have ever seen Exhibit 7
16 before.

17 A. Yes, I have.

18 Q. Does your name appear on Exhibit 7?

19 A. It does, indeed.

20 Q. Can you tell us what Exhibit 7 appears
21 to be.

1 A. Well, it is a record-keeping piece of
2 paper indicating your time when you were
3 present -- or when you came late or were excused
4 for one reason or another, sick, or if you were
5 AWOL or had to go to court, just a notice that
6 probably went in your file.

7 Q. Does anything on Exhibit 7 distinguish
8 between owner-operators and other Robb Tyler
9 employees?

10 A. Nothing that I can see, no, sir.

11 Q. Let me hand you Exhibit 8. Exhibit 8
12 consists of one page and it appears to be in
13 handwriting. Can you tell me if you have ever
14 seen Exhibit 8 before?

15 A. Yes, I have. It is a notice that was
16 apparently posted on the bulletin board, related
17 to employees' loan funds, and if you wanted to put
18 in for a loan, you had to have your name up on the
19 wall by a certain date. And it also lists, a
20 committee will consist of the following: Larry
21 Jendras, Walter Willis and Lou Warns.

1 Q. This notice is directed to all
2 employees, is it not?

3 A. Yes.

4 Q. Do you know if you received this
5 notice?

6 A. Personally received it?

7 Q. Yes.

8 A. I don't remember that, no. I may have,
9 but I don't remember it.

10 Q. Were the persons listed as committee
11 members employees?

12 A. Yes, they were.

13 Q. And that includes you?

14 A. Yes, it does.

15 Q. I am handing you Exhibit 9, which
16 consists of three pages and appears to have
17 columns of names. Can you tell me if you have
18 ever seen Exhibit 9 before.

19 A. Yes, I have.

20 Q. Can you tell me what it is.

21 A. Well, the columns of names clearly

1 indicate, well, maybe not clearly, but they
2 indicate what each one of these people are,
3 whether he is a driver, whether he is a mechanic,
4 whether he is a welder.

5 Q. I take it those names that have a D
6 next to them were drivers?

7 A. Drivers.

8 Q. Does your name appear on Exhibit 9?

9 A. Yes, it does.

10 Q. Does anything on Exhibit 9 indicate a
11 difference between owner-operators and employees
12 of Robb Tyler?

13 A. No, it does not.

14 MR. GRUMMER: I have no more questions
15 on these exhibits.

16 Q. Do you know if Fred Sauer ever spoke to
17 the Robb Tyler management?

18 A. I am sure he did. I don't know, I have
19 never seen him do it personally, but I am sure he
20 has.

21 Q. And why do you say that you are sure

1 that he has?

2 A. Well, they were two people, both in the
3 same business. They were friends, really. Robb
4 Tyler and Fred Sauer were friends.

5 Q. Do you know if they had any business
6 dealings?

7 A. I don't know that.

8 Q. Do you know if the management of Robb
9 Tyler talked to Fred Sauer about using his dump
10 during the period in 1969?

11 A. I would have to believe that, but I
12 don't know it to be a fact.

13 Q. During that period in 1969, do you know
14 if Robb Tyler's customers made any payments to
15 Sauer?

16 A. To Sauer?

17 Q. Yes.

18 A. I don't know that, no.

19 Q. During that period, do you know if Robb
20 Tyler's customers made their payments any
21 differently than they ordinarily did?

1 A. No, I don't know that.

2 Q. At the Rosedale Landfill, were drums
3 ever disposed of at the Rosedale Landfill?

4 A. I don't recall seeing any dumped.

5 Q. Was there any restriction on drums
6 being dumped at the Rosedale Landfill?

7 A. At that time? Probably not.

8 Q. Were there any restrictions at all on
9 the type of waste dumped at the Rosedale Landfill?

10 A. I don't think I have ever seen any
11 posted, no.

12 Q. Did the Robb Tyler management ever turn
13 people away because of the wastes, turn drivers
14 away because of the wastes that they wanted to
15 dump?

16 A. Turn his own drivers away?

17 Q. Yes.

18 A. Not that I know of, no.

19 Q. Do you know if they ever turned away
20 drivers from other haulers?

21 A. I don't know of it, no, no.

1 Q. I take it Robb Tyler was a bigger
2 operation than Sauer's; is that correct?

3 A. Correct.

4 Q. Did you give us a figure before for how
5 many trucks Robb Tyler had? I do not recall.

6 MR. RYAN: He gave drivers, 35 to 40.

7 A. I would say about 35 to 40 drivers.

8 Q. Do you know how many drivers Sauer had?

9 A. Maybe three, four.

10 Q. Do you know how many trucks Robb Tyler
11 had?

12 A. Probably 40. Thirty-five or 40.

13 Q. Do you know how many trucks Sauer had?

14 A. About three or four, I would guess.

15 Q. I would take it, of the Robb Tyler
16 trucks and drivers, some of them would go to
17 Rosedale and some of them would go to Reedbird?

18 A. Correct.

19 Q. Was it about 50-50 between Rosedale and
20 Reedbird?

21 A. No, I don't think it was 50-50. There

1 was more working on this side of town than there
2 were on the other side. The other side involved
3 probably maybe five to seven trucks.

4 Q. Out of 40?

5 A. Yes.

6 Q. So I take it that Rosedale was a much
7 bigger operation than Reedbird?

8 A. There was more business on this side of
9 town than there was on the other side, yes.

10 MS. CASANO: To clarify, Mark, by this
11 side of town, you mean the east side?

12 THE WITNESS: Meaning the east side,
13 yes.

14 Q. Can you tell me what percentage of Robb
15 Tyler's business was on the east side of town?

16 MR. RYAN: If you know.

17 A. Not really.

18 Q. Can you give me a very rough
19 approximation, like, in quarters or thirds?

20 A. Probably 70/30 or so.

21 Q. And 70 would be on the east side of

1 town?

2 A. East side, uh-huh.

3 Q. And the 70 would have been dumping at
4 Rosedale prior to 1969?

5 A. More than likely they would have, yes.

6 Q. After 1969 I take it Norris Farm opened
7 up and replaced Rosedale; is that correct?

8 A. That is correct.

9 Q. Did Reedbird remain open after 1969?

10 A. Remained open for a while, yes. I
11 don't know how long, but it wasn't closed up right
12 away. It went on for a while.

13 Q. So I take it that during the
14 three-month period in 1969, all those drivers and
15 trucks that ordinarily went to Rosedale went to
16 Sauer's, correct?

17 A. Pretty much, yes.

18 Q. And I take it there were trucks from
19 other haulers as well going to Sauer's during that
20 period; is that correct?

21 A. That is correct.

1 Q. Did Robb Tyler's trucks and drivers
2 create any kind of a strain on Sauer's dump?

3 MR. RYAN: Object. Vague and
4 ambiguous.

5 A. Gave him more work than he had, but I
6 don't know that it was a strain. Probably
7 welcomed it.

8 Q. What percentage, during the three-month
9 period in 1969, can you give me any idea what
10 percentage of the wastes coming into Sauer's were
11 Robb Tyler's wastes, were hauled by Robb Tyler's
12 drivers?

13 A. I have no idea.

14 Q. Earlier today you discussed, or we
15 discussed, you were asked questions about
16 Chevrolet Ray; do you recall that?

17 A. Yes.

18 Q. Again, I would like to read a portion
19 of transcript to you. I am referring to page 89
20 of your previous statement at line 7:

21 "Question: Earlier you answered some

1 questions about Chevrolet Ray, and I believe a
2 moment or two ago you said you saw him at the 68th
3 and Pulaski dump as well as I believe you
4 mentioned earlier today you saw him often; is that
5 correct?

6 "Answer: That is correct.

7 "Question: I believe you said you saw
8 him there daily and perhaps more than daily?

9 "Answer: True.

10 "Question: By daily, do you mean every
11 day?

12 "Answer: As far as I can remember,
13 hardly a day went by that I don't remember seeing
14 him.

15 "Question: You yourself were at the
16 Robb Tyler landfill, at the 68th and Pulaski
17 landfill every day?

18 "Answer: Every day.

19 "Question: You were in a position to
20 know if he was there every day?

21 "Answer: I was there probably eight

1 times a day, so I seen him more than once.

2 "Question: You are pretty sure you saw
3 him there almost every day?

4 "Answer: True.

5 "Question: What was he doing when you
6 saw him?

7 "Answer: Unloading 55-gallon drums.

8 "Question: Was he ever doing anything
9 else?

10 "Answer: Drinking coffee.

11 "Question: Was he ever dumping anything
12 else?

13 "Answer: Dumping anything else?

14 "Question: Yes.

15 "Answer: No, nothing other than what
16 was in the 55-gallon drums.

17 "Question: So piecing those things
18 together, it sounds like you saw him there dumping
19 55-gallon drums almost every day?

20 "Answer: True, that is all I ever saw
21 him haul.

1 "Question: Was this throughout the time
2 you worked at the 68th and Pulaski landfill?

3 "Answer: Yes.

4 "Question: Was there ever any variation
5 in what you saw Chevrolet Ray doing?

6 "Answer: No, there was not.

7 "Question: Do you know what Chevrolet
8 Ray's shift was, what hours he worked?

9 "Answer: Daylight, but I do not know
10 the hours exactly.

11 "Question: Do you know what hours the
12 shifts were worked at the Chevrolet plant?

13 "Answer: Two shifts; at one time, it
14 was three shifts over there.

15 "Question: Would a two-shift system, do
16 you know what the dividing time between the shifts
17 would be approximately?

18 "Answer: You mean starting time and
19 quitting time?

20 "Question: Quitting time for the first
21 shift.

1 "Answer: Probably 3, 3:30.

2 "Question: Did Chevrolet Ray ever work
3 a second shift, a shift beginning around 3 in the
4 afternoon?

5 "Answer: I don't know that. I hardly
6 think so or I wouldn't have seen him during the
7 day."

8 That is the end of my quotation.

9 If I asked you those same questions
10 now, would you answer any of them any differently?

11 A. I don't think so.

12 Q. Earlier, I believe you said that you
13 saw Chevrolet Ray dumping at Sauer's dump; is that
14 correct?

15 A. Correct.

16 Q. Did you ever see him dumping at Sauer's
17 dump other than the three-month period in 1969?

18 A. Did I ever see him? No, I never seen
19 him.

20 Q. In your affidavit, which is Exhibit 1,
21 paragraph 6 discusses Chevrolet Ray. I take it,

1 then, that paragraph 6 of your affidavit is
2 referring to the three-month period in 1969; is
3 that correct?

4 A. That is correct.

5 Q. And in the third line from the bottom
6 of that paragraph where you use the word "often,"
7 you are there too referring to the period, the
8 three-month period in 1969?

9 A. True.

10 Q. Did you ever see the sludge that
11 Chevrolet Ray dumped burning?

12 A. Did I ever see it burning?

13 Q. Yes.

14 A. No, sir.

15 Q. At the Rosedale Landfill, did you ever
16 see, did you ever see Michael Cefaloni at the
17 Rosedale Landfill?

18 A. Yes.

19 Q. Did you see him there often?

20 A. No, I can't remember that it was often,
21 no. No.

1 Q. Do you know if Michael Cefaloni and
2 Chevrolet Ray knew each other?

3 A. Oh, yes, they did.

4 Q. Do you know if they ever spoke to each
5 other at the Rosedale Landfill? Were you ever in
6 a group involving both of those individuals
7 socializing at the Rosedale Landfill?

8 A. I can't remember that, but I wouldn't
9 be surprised. I can't remember, though.

10 Q. You wouldn't be surprised if Chevrolet
11 Ray and Michael Cefaloni socialized at the
12 Rosedale Landfill?

13 A. Right.

14 Q. It would not surprise you if that
15 occurred?

16 A. No.

17 Q. Do you think Michael Cefaloni saw
18 Chevrolet Ray dumping at the Rosedale Landfill?

19 A. Do I think he saw him dumping at the
20 Rosedale Landfill? I really couldn't say.

21 Q. I would like to quote a portion of the

1 transcript of your prior statement once again. I
2 am referring to page 102, starting with line 6,
3 and I believe there is a mistranscription in the
4 third line, and I am going to correct that as I
5 read through it.

6 "Question: You mentioned that you and
7 Cefaloni and Chevrolet Ray would socialize at the
8 Robb Tyler dump. Do you think that Cefaloni ever
9 saw Ray dumping sludge at the 68th and Pulaski
10 dump?

11 "Answer: I would have to say I am sure
12 he did. But if he were down there, you couldn't
13 help but see him because he was doing the same
14 thing all the time. I can't answer for him. If
15 he went by, he had to see it.

16 "Question: My question wasn't clear.
17 My question is Cefaloni seeing Chevrolet Ray
18 dumping at 68th and Pulaski, and I believe you
19 said he must have seen him do that?

20 "Answer: Yes.

21 "Question: At 68th and Pulaski?

1 "Answer: Right.

2 "Question: I take it he must have seen
3 him do that frequently?

4 "Answer: I would think so."

5 That is the end of my quotation.

6 If I asked you those same questions
7 today, would you answer them any differently?

8 A. Again, I can't say that he seen him.
9 They both went to the landfill, so I am saying I
10 would think he seen him but I can't say that he
11 definitely seen him.

12 Q. Were any of the answers I gave in the
13 portion of your transcript that I quoted
14 incorrect?

15 A. No. No. No, I don't think so.

16 Q. Prior to 1969, do you have any
17 knowledge where Bohager hauled wastes?

18 A. I can only say that he used our
19 landfill. I don't know whether that was his only
20 means of disposing of it but he used our
21 landfill.

1 Q. He did use your landfill?

2 A. Rosedale and also Norris Farm.

3 Q. So after 1969, Bohager used Norris
4 Farm?

5 A. Yes. He sure did.

6 Q. Do you know of any other place than
7 Rosedale and Norris Farm where Bohager disposed --

8 A. No, I do not.

9 Q. Did Bohager dispose of wastes at
10 Sauer's dump during the three-month period in
11 1969?

12 A. Yes.

13 Q. Did you personally observe his drivers
14 disposing of wastes at Sauer's dump during the
15 three-month period --

16 A. I have seen him there, yes.

17 Q. -- in 1969?

18 A. Uh-huh.

19 Q. You did see his drivers doing that?

20 A. True.

21 Q. You saw that personally?

1 A. True.

2 Q. Can you give me any idea how often?

3 A. No, I sure can't.

4 Q. Did it appear to you that that was
5 their regular practice during that three-month
6 period?

7 MR. ABRAMS: Object to the form of the
8 question.

9 A. Again, I would only have to guess. I
10 don't really know.

11 Q. Do you know if there were any bad
12 feelings between Bohager's management and Fred
13 Sauer?

14 A. No, I don't know that.

15 Q. Do you know of any reason why Fred
16 Sauer would prohibit Bohager or his drivers from
17 dumping at Sauer's?

18 A. No, I don't.

19 Q. Do you know if something like that ever
20 happened?

21 A. No, I don't.

1 Q. Do you know of a Standard Oil facility
2 near the Sauer dump?

3 A. I know of a Standard Oil facility.

4 Q. Where would that be?

5 A. Boston and Clinton Streets, primarily.
6 They have about a square block area up there.

7 Q. How far is that from the Sauer dump?

8 A. Couple of miles, several miles. About
9 three miles.

10 Q. How far is that from the Rosedale dump?

11 A. Another mile and a half. Four and a
12 half miles.

13 Q. How far is the Standard Oil facility
14 from Norris Farms?

15 A. About the same thing. Another mile and
16 a half from Sauer's, going in the other
17 direction.

18 Q. So how far, then, would the Standard
19 Oil facility be from Norris Farms?

20 A. Four and a half miles, I would say,
21 roughly.

1 Q. Do you consider that Standard Oil
2 facility to be on the eastern side of Baltimore?

3 A. Yes.

4 Q. Have you ever been on the property of
5 the Standard Oil facility that you just referred
6 to?

7 A. No, I have been past it, I know where
8 it is, but I have never been on the property.

9 Q. I take it, then, you have never hauled
10 any waste from that Standard Oil facility?

11 A. No.

12 Q. Do you know if, what can you tell me
13 about their waste disposal practices?

14 MR. ABRAMS: Object to the form of the
15 question as indefinite and vague.

16 A. Not a thing.

17 Q. Do you know if that Standard Oil
18 facility was a customer of Fred Sauer's?

19 A. Yes, it was.

20 Q. How do you know that it was?

21 A. Well, I have seen Sauer's containers

ORIGINAL
(Red)

1 and trucks in the yard. In Standard Oil's yard.

2 MR. ABRAMS: Would you read back that
3 answer, please?

4 (The record was read by the reporter.)

5 Q. You saw Fred Sauer's containers at the
6 Standard Oil facility on Boston Street?

7 A. Yes.

8 Q. How did you know they were Sauer's
9 containers?

10 A. Well, normally they were painted
11 green. You could normally determine by the color
12 of the containers whose they were.

13 Q. Sauer's containers were green?

14 A. Green.

15 Q. What color were Robb Tyler's
16 containers?

17 A. Probably blue by that time.

18 Q. Are you fairly certain that you saw
19 Fred Sauer's containers on Standard Oil's facility
20 on Boston Street?

21 MR. ABRAMS: Object to the form of the

ORIGINAL
(Rec)

1 question as vague.

2 A. What appeared to be a Sauer's
3 container, let's put it that way. What appeared
4 to be a Sauer's container. They weren't my
5 containers, so they pretty much had to be
6 Sauer's.

7 Q. Do you have any doubt that they were
8 Sauer's?

9 A. I guess there could be some doubt. I
10 am only assuming it because I seen it. Although I
11 have seen Mike around there quite often, I never
12 seen him in there picking it up, but I seen him,
13 you know, around the area.

14 Q. When you say Mike, who are you
15 referring to?

16 A. Cefaloni.

17 Q. You are referring to Mike Cefaloni?

18 A. Cefaloni.

19 Q. And where did you say you saw him?

20 A. In the Standard Oil area.

21 Q. When you say in the area, what do you

ORIGINAL
(10-1)

1 mean?

2 A. Around the yard, you know.

3 Q. Was he on the property of the Standard
4 Oil facility?

5 A. On the property.

6 Q. On Boston Street?

7 A. Right. I didn't see him pick it up,
8 but I seen him in the yard, and assuming that they
9 were their containers, you know, I just assumed
10 that he was hauling.

11 Q. I take it you do assume that those
12 green containers were Sauer's containers?

13 A. Right.

14 MR. ABRAMS: Object to the form of the
15 question, calls for speculation, no foundation in
16 light of the testimony.

17 MR. GRUMMER: Did we get an answer on
18 that?

19 MR. RYAN: Yes.

20 Q. What was Mike Cefaloni doing when you
21 saw him at the Standard Oil facility on Boston

ORIGINAL
FILED

1 Street?

2 A. I can't remember that.

3 Q. Was --

4 MR. ABRAMS: I couldn't hear that.

5 MR. RYAN: He can't remember that.

6 Q. Did you see him in a vehicle?

7 A. In his truck, yes, but I didn't see him
8 picking anything up, you know, I assumed that that
9 is what he was going to do.

10 Q. Did you say you assumed that he was
11 picking --

12 A. I don't know as I gave it any thought
13 at all, but I assumed that that is what he was
14 there for, to pick up the stop.

15 Q. When you say you saw him in a vehicle,
16 can you describe the vehicle?

17 A. A dumpster, International dumpster.

18 Q. I take it, then, that you saw Michael
19 Cefaloni in a dumpster on the property of the
20 Standard Oil facility on Boston Street?

21 A. Correct.

1 Q. Can you tell me anything about how
2 often you might see him there?

3 A. No, I have no idea. That might have
4 been the only time, you know. Just happened to be
5 going by at that time.

6 Q. Can you tell me anything about what
7 year you might have seen him there?

8 A. No, I couldn't.

9 Q. Can you tell me if it would have been
10 before or after 1969?

11 A. No, I really don't know. I don't
12 know.

13 Q. Do you know whether Standard Oil was a
14 customer of Robb Tyler's?

15 A. I think at one time they were, and
16 again, I don't know when.

17 Q. Do you know if Standard Oil ever used
18 its own employees to haul wastes away from the
19 Standard Oil facility on Boston Street?

20 A. No, sir, I do not.

21 MR. ABRAMS: Object to the form of the

1 question.

2 A. Do not.

3 Q. Do you know anything about the wastes
4 that Standard Oil disposed of from its facility on
5 Boston Street?

6 MR. ABRAMS: Objection, asked and
7 answered.

8 A. No.

9 Q. Can you describe for me the Standard
10 Oil facility on Boston Street as you recall it.

11 A. Can I describe the location? Is that
12 what you are talking about?

13 Q. Can you describe the facility itself?
14 Can you describe how large it is?

15 A. Probably covers a two block square
16 area. It is quite huge.

17 Q. Would that be an area that is two
18 blocks on each side?

19 A. Two blocks on one side, I know, and
20 possibly two blocks on the other side. At least a
21 block.

1 Q. Do you know what type of business is
2 conducted at that facility?

3 A. Not really, no. I know they are in the
4 oil business but I don't know just what they do
5 there.

6 Q. Earlier today you mentioned PORI Oil.
7 Did PORI Oil -- can you tell me what the name of
8 that company is. Is it just PORI?

9 A. I have no idea.

10 Q. How did you refer to it?

11 A. PORI Oil.

12 Q. PORI Oil?

13 A. It has been around for a long time. I
14 have never heard it called anything else.

15 Q. Did they have a facility near Sauer's
16 dump?

17 A. Not near Sauer's dump. It is in
18 Sparrows Point.

19 Q. Can you tell me approximately how far
20 that would be from Sauer's dump?

21 A. Six miles, maybe, seven miles.

1 Q. Did you ever go to that facility?

2 A. Yes.

3 Q. Can you tell me why?

4 A. Haul a container.

5 Q. Was PORI a customer of Robb Tyler's?

6 A. Yes, it was.

7 Q. And I take it you picked up wastes
8 there?

9 A. True.

10 Q. Where did you haul those wastes?

11 A. Well, I didn't get too involved with
12 PORI Oil until later years, I say later years, in
13 the '80s. Prior to that, I didn't haul it. Maybe
14 on one or two occasions, and I guess it went to
15 Rosedale. I can remember hauling it about twice
16 other than in later years, and I would have to say
17 that it went to Rosedale.

18 Q. So you are saying that when you hauled
19 twice from PORI, on those two occasions you
20 believe you hauled to Rosedale?

21 A. I think so, yes.

1 Q. Can you tell me why you hauled from
2 PORI on those two occasions and not other times?

3 A. Probably because the regular truck
4 wasn't there. I can't remember the reason. I
5 mean, it wasn't my regular stop but I remember
6 going down there to get it.

7 Q. During the time you hauled to Rosedale,
8 I take it they were a Robb Tyler customer?

9 A. Yes.

10 Q. I take it that during that time Robb
11 Tyler's drivers customarily hauled their wastes to
12 Rosedale?

13 A. Yes.

14 Q. Do you know anything about the nature
15 of PORI's wastes during the 1960s?

16 A. No, I don't. I know what the material
17 looked like, but I have no idea what it was or
18 just what it involved.

19 Q. What did it look like?

20 A. It was, it started out as a liquid
21 material and it turned into a solid by some

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1 process that they had. They added another
2 chemical to it that made it a solid and it was no
3 longer in a liquid form. But just what it
4 consisted of, I don't know.

5 Q. Were you just now describing the
6 operations conducted at the PORI facility?

7 A. Yes.

8 Q. So when you say they started out with a
9 liquid, you are describing their manufacturing
10 process?

11 A. It comes from the Bethlehem Steel plant
12 as a liquid material, and they add this other
13 chemical to it to turn it into a solid. In other
14 words, when they bring it into the mill, into
15 their plant, it is in liquid form or heavy liquid
16 form and they turn it into a solid. It is a
17 flake-like material, pieces about that big around.

18 Q. Did that process produce any wastes?

19 A. That was the waste.

20 Q. I am not sure I understand.

21 A. Well, when they took the liquid off of

1 the plant, it come in in big pipes and when they
2 took that liquid off the plant and run it through
3 this process machine, it mixed it with another
4 substance of some kind, I don't know what it was,
5 and it turns it into a solid material. You no
6 longer have a liquid running out, which is your
7 in-coming product.

8 Q. Were they producing product or simply
9 changing --

10 A. It is the waste, I assume the waste
11 from the Bethlehem Steel plant.

12 Q. So could you describe for me the wastes
13 that you hauled that resulted from that process.

14 A. That was it. It is a flake-like
15 material. It comes out about this big around and
16 it is light in color, a heavy-type material, but I
17 am saying light in color. If it is running right,
18 it comes out in pieces about this big around.

19 Q. When you say pieces this big around,
20 you are indicating about 6 inches in diameter?

21 A. It varies, but yes, in that

1 neighborhood.

2 Q. Were they flakes or chunks?

3 A. Flake -- well, they are possibly a half
4 inch thick, quarter or half inch thick, and about
5 probably 6 inches round.

6 Q. What color were these?

7 A. Light tan or burnt-looking white or
8 whatever you want to call it.

9 Q. Was this waste liquid at all?

10 A. It was liquid to start with.

11 Q. But not when you hauled it?

12 A. No.

13 Q. Did it have an odor?

14 A. It had a little odor, yes.

15 Q. Can you describe that odor for me?

16 A. I am not sure. It wasn't a pleasant
17 smell.

18 Q. You say it was not pleasant?

19 A. No. But I can't really detect what it
20 was. Like I said, I didn't have anything to
21 compare it with.

1 Q. Have you ever described that waste as a
2 gooey-looking material?

3 A. Gooey-looking material if it wasn't
4 running right. I just said if it was running
5 right it was a flake-like material, and if it
6 wasn't running right, then the transposition
7 didn't take place and it come out as a gooey
8 material.

9 Q. I take it then that sometimes the waste
10 from PORI that Robb Tyler hauled was
11 gooey-looking?

12 A. It could have been.

13 Q. Do you know if it ever was? Do you
14 recall seeing it --

15 A. I didn't see it myself, but I am sure
16 that it was, but I didn't see it.

17 Q. How do you know that it was if you
18 didn't see it?

19 A. I seen it on the containers. The front
20 of the container would be smeared with it
21 somewhat, or the back of the truck would be

1 smeared with it a little bit.

2 Q. When you say the container, do you mean
3 a Robb Tyler container?

4 A. Yes.

5 Q. And when you say a truck, you mean a
6 Robb Tyler truck?

7 A. A Robb Tyler truck, unless someone else
8 was hauling it.

9 Q. Do you know if Michael Cefaloni ever
10 hauled waste from PORI?

11 A. Yes, he hauled it on occasion.

12 Q. How do you know that?

13 A. I heard the stop given out over the
14 radio. They would send Mike down to, in other
15 words, they called the --

16 Q. When you say they, who are you
17 referring to?

18 A. Our dispatch office would call the
19 scale house, if Mike comes in, send him down to
20 PORI Oil.

21 Q. Whose scale house?

1 A. Robb Tyler.

2 Q. So Robb Tyler's dispatcher would call
3 Robb Tyler's scale house, and what would they say
4 about Cefaloni?

5 A. Send him down to PORI Oil when he comes
6 in, give him PORI Oil, you know, just to give him
7 the stop.

8 Q. You say you overheard the Robb Tyler
9 dispatcher giving such an instruction?

10 A. Yes.

11 Q. Do you have any idea how often --

12 A. No.

13 Q. -- Cefaloni would pick up from PORI?

14 A. No, I really don't.

15 Q. Do you know if on those occasions when
16 Cefaloni picked up from PORI, do you know where he
17 took the wastes?

18 A. Not really.

19 Q. Do you know if he took them to any
20 particular place?

21 A. I would think he would take it to the

1 landfill, whoever was operating.

2 Q. Which, what landfill?

3 A. Well, if it was, I don't know which one
4 he took it to, but he would probably take it to
5 the closest one. If it was Norris Farm, why
6 certainly he would be closer to Norris Farm.

7 Q. Prior to 1969, what would be the
8 closest landfill to PORI?

9 A. '69 -- North Point, Sauer's. Not by a
10 whole lot, but it would be closer.

11 Q. So Sauer's was closer to PORI's
12 facility than Rosedale?

13 A. Right. By about a mile, mile and a
14 quarter.

15 Q. Out of a total of six or so?

16 A. Yes.

17 Q. Did you ever talk to Michael Cefaloni
18 about PORI?

19 A. Not that I can remember.

20 Q. During the three-month period in 1969,
21 did you see any of PORI's waste being disposed of

1 at Sauer's?

2 A. I didn't see it personally.

3 Q. Where was PORI disposing of its waste
4 during that three-month period in 1969, or where
5 were their wastes being disposed of?

6 MR. MASUR: Objection.

7 A. I don't know, I don't know.

8 Q. During that three-month period in 1969,
9 did you ever go to PORI?

10 A. I don't remember it, no. I would have
11 to say no.

12 Q. Do you know of an O'Brien Paint
13 Company?

14 A. Yes.

15 Q. Do they have a facility near the Sauer
16 dump?

17 A. Not near, but not too far away.

18 Q. Could you tell me the location of the
19 facility that you are referring to.

20 A. Biddle and Edison Highway.

21 Q. Can you tell me approximately how far

1 that is from Sauer's dump?

2 A. Probably four, four and a half miles.

3 Q. Would you consider the O'Brien paint
4 location you just described, the facility that you
5 just described, to be on the eastern side of
6 Baltimore?

7 A. Yes.

8 Q. Did you ever pick up wastes at that
9 O'Brien paint facility?

10 A. Yes.

11 Q. Can you tell me during what time
12 period?

13 A. No, I don't remember that. I had
14 hauled it, not on, just on a rare occasion when
15 the regular driver didn't haul it.

16 Q. Who was the regular driver?

17 A. Boswell.

18 Q. The period you are referring to, would
19 that include the 1960s? Can you tell me anything
20 about O'Brien in the 1960s?

21 A. Not really. I can tell you that most

1 of what was in there were paint labels, paint
2 cans, empty paint cans, that sort of thing.

3 Q. Can you describe the paint cans for me
4 any further?

5 A. Empty gallon paint cans, some 5-gallon
6 cans.

7 Q. Were they empty because there had never
8 been any paint in them, or were they empty because
9 there had been paint in them but it had been
10 poured out.

11 A. They were dirty, I assume they were
12 used.

13 Q. When you say dirty --

14 A. They were dirty with paint.

15 Q. They were dirty with paint. Do you
16 recall any colors of the paint? Could you see the
17 colors?

18 A. No. Well, I have seen them, but I sure
19 don't remember what it was.

20 Q. Did the cans that you are referring to
21 have tops on them?

1 A. No.

2 Q. Could you tell if there was liquid, any
3 liquid paint in those cans or not?

4 A. It didn't appear to be. They appeared
5 to be empty for the most part.

6 Q. Do you know anything about how those
7 cans came to have paint in them and then to become
8 empty?

9 A. No.

10 Q. Do you know if they -- let me ask
11 this. Did O'Brien manufacture paint at that
12 facility?

13 A. They did, uh-huh. They did.

14 Q. When you say Boswell was the regular
15 driver, would that be referring to the 1960s?

16 A. Yes.

17 Q. When you picked up wastes at O'Brien,
18 where did you take them?

19 A. Normally to Rosedale.

20 Q. Do you know where Boswell took wastes
21 from O'Brien Paint when he picked up there?

1 A. I would think to Rosedale too, but I am
2 not certain of that.

3 Q. Do you know if Michael Cefaloni ever
4 picked up wastes at O'Brien?

5 A. I don't know that, no.

6 Q. Do you know of a company by the name of
7 Anchor Post?

8 A. Yes.

9 MR. RYAN: Mark, is this your last part
10 here?

11 MR. GRUMMER: Just about, yes.

12 Q. Do they have a facility near Sauer's
13 dump?

14 A. Yes, they did.

15 Q. Can you tell me the approximate
16 location?

17 A. Maybe a mile. It is located on Eastern
18 Avenue and Kane Street. About a mile.

19 Q. When you say they were a mile, do you
20 mean a mile from Sauer's dump?

21 A. From Sauer's dump.

- 1 Q. Were they closer to Sauer's dump or to
2 Rosedale?
- 3 A. Sauer's.
- 4 Q. Can you tell me how far they were from
5 Rosedale?
- 6 A. Another mile and a half. Two and a
7 half miles.
- 8 Q. So it would be two and a half miles as
9 opposed to one mile from Sauer's?
- 10 A. Right.
- 11 Q. Do you know if they were a Robb Tyler
12 customer, Anchor Post?
- 13 A. They were at one time, but I am not
14 sure if it was in that time period.
- 15 Q. Did you ever pick up wastes at Anchor
16 Post?
- 17 A. No, I did not.
- 18 Q. Do you know of any driver who did?
- 19 A. Not personally, no.
- 20 Q. Do you know if Anchor Post was ever a
21 customer of Sauer's?

1 A. I don't know that.

2 Q. Do you know if O'Brien Paint was ever a
3 customer of Sauer's?

4 A. Not to my knowledge.

5 Q. I forgot to ask you, was O'Brien
6 Paint's facility closer to Sauer's dump or to
7 Rosedale?

8 A. Rosedale.

9 MR. GRUMMER: I don't have any other
10 questions right now.

11 MS. CASANO: Lunchtime. Off the
12 record.

13 (Recess taken.)

14 MR. GUTTER: I am going to want a
15 transcript, by the way, and a three and a half
16 inch disk.

17 MS. CASANO: I would like a transcript
18 as well as, also the disk, I think.

19 EXAMINATION MR. GUTTER:

20 Q. Good afternoon, Mr. Jendras, my name is
21 Sam Gutter and I represent AT&T. I believe we met

1 earlier at the time that your interview on the
2 record was taken some months ago.

3 A. Yes.

4 Q. I will try to be pretty brief. I have
5 a few questions for you.

6 Before the lunch break, you mentioned
7 an instance in which you heard the dispatcher
8 providing instructions for Michael Cefaloni to
9 pick up at a particular customer; is that correct?

10 A. That is correct.

11 Q. Was Michael Cefaloni, to your
12 knowledge, employed by Robb Tyler?

13 A. No, no. Not by Robb Tyler, but on
14 occasion they would use his services or Fred
15 Sauer's services because of the equipment that he
16 had, that he could handle our stops. See, he
17 hauled the same kind of container as I did, so if
18 it ever got to a point where we were overworked,
19 then they would call on Mike to help out.

20 Q. When you say he had the same kind of
21 equipment, what are you referring to?

1 A. A dumpster-type truck.

2 Q. Front loader?

3 A. No, dumpster, rear loader.

4 Q. Rear loader. Can you recall specific
5 companies for whom Michael Cefaloni filled in on
6 that basis?

7 A. Other than our company?

8 Q. No, I am sorry, specific customers --

9 A. Oh, customers. No, not really, other
10 than the PORI Oil, I heard, and possibly O'Brien
11 Paint, on occasion.

12 Q. Do you know whether Fred Sauer had
13 arrangements with Robb Tyler in which Fred Sauer,
14 on a more regular basis, was picking up from Robb
15 Tyler accounts?

16 A. I don't know of it, no, sir.

17 Q. Did you ever hear Michael Cefaloni
18 dispatched to pick up from Crown Cork and Seal?

19 A. No, I didn't hear it, no, sir.

20 Q. Did you ever hear him dispatched to
21 pick up from Maryland Cup?

1 A. No.

2 Q. I would like to ask you a few questions
3 about Crown Cork and Seal Company. Are you
4 familiar with that company?

5 A. Oh, yes, uh-huh.

6 Q. Where are they located?

7 A. O'Donnell Street, well, between
8 O'Donnell and Boston Street, really, around the
9 Newkirk Street area.

10 Q. Do you know if Crown Cork and Seal was
11 a Robb Tyler customer in the period before 1969?

12 A. Yes, sir.

13 Q. On what basis do you say that?

14 A. Well, I know we had them as a customer
15 prior to the '69 ordeal.

16 Q. Did you personally pick up from them?

17 A. No.

18 Q. Do you know the names of any drivers
19 who did?

20 A. No, I couldn't be certain, no.

21 Q. Did Crown Cork and Seal continue as a

1 customer of Robb Tyler through what you just
2 referred to as the 1969 ordeal?

3 A. I don't believe they went that far,
4 no. I think it was cut off before that.

5 Q. Do you know who picked up their account
6 after that?

7 A. No, sir, I don't.

8 Q. Do you have any personal knowledge of
9 the nature of the wastes that Robb Tyler would
10 have picked up from Crown Cork and Seal?

11 A. I never actually seen it, no, so I
12 really couldn't say.

13 Q. Do you know whether they had waste oil?

14 A. Not to my knowledge.

15 Q. The United States has produced some
16 information indicating that bottle caps from Crown
17 Cork and Seal may have been found at the
18 landfill. Do you have any idea whether Robb Tyler
19 picked up bottle caps from Crown Cork and Seal?

20 A. It could very well have been in the
21 load, yes.

1 Q. Do you know what else might have been
2 in the load?

3 A. Probably a cork-like material that they
4 use inside the caps. I don't know what else.

5 Q. Did you yourself ever view a load
6 hailed by somebody else from Crown Cork and Seal?

7 A. I don't remember specifically seeing
8 it, no.

9 Q. Are you familiar with the Sweetheart
10 Cup plant on Reisterstown Road?

11 A. I know about it, but I have never
12 hailed out of it.

13 Q. Do you know what the name was during
14 the period we have been discussing, say, the
15 1960s? Whether it went by the name of
16 Sweetheart --

17 A. Sweetheart Cup, I believe, or Maryland
18 Cup. One or the other, I am not sure.

19 Q. Do you know if during the period in
20 question, let's say again prior to 1969, if
21 Maryland Cup was a Robb Tyler customer?

1 A. I know they were, but I don't know the
2 dates.

3 Q. You have already said that you never
4 picked up --

5 A. No, I never picked it up.

6 Q. Do you know the names of any drivers
7 who did pick up at Maryland Cup?

8 A. No, sir, I don't.

9 Q. Do you have any idea if Michael
10 Cefaloni ever picked up at Maryland Cup?

11 A. Not to my knowledge. I think they were
12 large containers out there. Cefaloni wouldn't
13 have picked a container that size up. I don't
14 know that to be a fact. I am only guessing.

15 Q. You say Cefaloni wouldn't have picked
16 up a container like that --

17 A. A large container like, that is what
18 they had the most of out there.

19 Q. When you say a large container, do you
20 mean a roll-off box?

21 A. Roll-off, 30-yard.

1 Q. Was Cefaloni engaged in picking up
2 other types of materials, and I don't mean from
3 Maryland Cup in particular, but from your
4 knowledge generally?

5 A. Nothing other than what the, a truck
6 that he would have loaded by hand. Not a
7 containerized truck.

8 Q. Do you mean a flatbed truck?

9 A. Flat -- well, a box-type truck but
10 something that he would have had to load in by
11 hand.

12 Q. Other than Western Electric of which
13 you testified earlier today, do you recall Michael
14 Cefaloni hauling materials from specific other
15 companies on that type of a truck?

16 A. No, not really.

17 Q. Do you know if, did you ever see
18 Michael Cefaloni hauling barrels?

19 A. No, sir.

20 Q. Do you know if the type of truck that
21 he drove could have accommodated 55-gallon drums?

1 A. Yes, it could have, sure. Normally,
2 the truck that he drove, the smaller truck
3 couldn't have, not very practical, but the larger
4 truck, he could have.

5 Q. Do you know if Robb Tyler ever picked
6 up barrels at Maryland Cup?

7 A. Not to my knowledge, no, sir.

8 Q. You just don't know one way or the
9 other?

10 A. No, no.

11 Q. And you don't know one way or another
12 whether Michael Cefaloni picked up barrels there?

13 A. No, sir, I don't.

14 MR. GUTTER: I have no further
15 questions. Thank you.

16 EXAMINATION BY MR. BYRD:

17 Q. Mr. Jendras, this has been a long day
18 but I will try to keep it as short as possible.
19 My name is Ron Byrd and I represent Baltimore Gas
20 & Electric Company.

21 I would like to talk to you a little

1 bit at first about the Rosedale dump site in the
2 1960s. What was done with the waste at the
3 Rosedale dump back in the 1960s once it arrived at
4 Rosedale?

5 A. I guess pretty much the same as
6 anywhere else. Normally you went, in the case
7 before the scale, you went to the scale house or
8 the ticket master and he wrote you a ticket and he
9 pointed you in the direction of the dumping area
10 and you dumped your load. In some cases, it was
11 down in a hole, in some cases on flat ground, and
12 they just merely pushed it with the dozer.

13 Q. What was done when it was dumped in a
14 hole? What was done to the hole?

15 A. It was, they just kept on pushing. In
16 the earlier stages it was burnt. Of course, that
17 finally became against the law, you couldn't do
18 that anymore.

19 Q. When was it burnt?

20 A. Back in the early, early '60s.

21 Q. Was it covered with dirt or any other

1 type of substance?

2 A. Oh, definitely, it was always covered.

3 Q. What was it usually covered with at
4 Rosedale?

5 A. A lot of times they were hauling the
6 burnt material from the city incinerator, which
7 was an ash-like material, and it was pushed over
8 top of the landfill for cover.

9 Q. When you say it was an ash-like
10 material, was it ash?

11 A. Well, it was what was left of the
12 burning of the day at the incinerator.

13 Q. Where was the City incinerator located?

14 A. Pulaski Highway and what is now 95.

15 Q. Do you know how many incinerator
16 facilities they had there?

17 A. Two, to my knowledge.

18 Q. Do you know if they were both operating
19 in the 1960s?

20 A. I am quite sure they were. They were
21 City-operated.

1 Q. How did this ash-like substance get
2 from the City incinerators to Rosedale?

3 A. The City trucks hauled it over.

4 Q. Approximately how many City trucks were
5 coming into Rosedale each day with this stuff?

6 A. I don't know how many loads. They
7 operated two to three trucks a day at the same
8 time, but I don't know how many loads they made.

9 Q. What percentage of the waste at
10 Rosedale was being covered with this City ash-like
11 material?

12 A. Was being covered?

13 Q. Uh-huh.

14 A. Probably all of it, other than a few
15 loads of whatever they had coming during the day.
16 If they had a good load that would serve as a
17 cover, they usually put it over on the side and
18 used it later to push over top of the load.

19 Q. Were there any other trucks containing
20 ash coming into Rosedale during the 1960s?

21 A. The fly ash coming from, what I thought

1 was Riverside Gas and Electric.

2 Q. When you say you thought, you are not
3 sure --

4 A. I am not sure, but I assume that is
5 where it was coming from.

6 Q. And that was Parker, you believe, was
7 driving that?

8 A. Yes.

9 Q. Any other trucks containing ash coming
10 into Rosedale?

11 A. Not that I can recall, no.

12 Q. Do you know whether the City school
13 system was bringing any ash in there?

14 A. If they were, I wasn't aware of it.

15 Q. How about a facility called Calvert
16 Distillery?

17 A. I know the facility but I don't know
18 whether that is what they were hauling.

19 Q. Was the fly ash being used for the same
20 purpose that the City ash-like material was being
21 used for, for cover?

1 A. Yes, sir, for cover.

2 Q. Would it be fair to say, then, that the
3 fly ash was a small part of the cover compared to
4 the City ash that was being used?

5 A. Probably, I don't know what percentage,
6 but I am sure it was less, yes.

7 Q. Once Rosedale closed down, do you know
8 where the City trucks were going then?

9 A. No, I really don't. I know they hauled
10 over there for a considerable amount of time and
11 just kept putting cover over top of it, but I
12 don't know how long that lasted.

13 Q. To the best of your knowledge, were the
14 City trucks still hauling this ash-like material
15 in the late 1960s?

16 A. Oh, I am sure. They are still hauling
17 today.

18 Q. Can you describe fly ash to me. What
19 color it is?

20 A. Fly ash? It looks like burnt sand,
21 really, it looks like, just like Ocean City, only

1 darker in color.

2 Q. When you say darker in color, what
3 color would you describe it as?

4 A. Gray, a gray.

5 Q. So it kind of looks like a gray sand?

6 A. Right. Very fine.

7 Q. Does it look any different than the ash
8 coming from the City incinerators?

9 A. Oh, yes. The City incinerator ash was
10 a coarse-like material, you know, I mean it was a
11 definite article in there that was burnt up, but
12 the fly ash was simply just a clean-looking sand,
13 only a dirty-looking color.

14 Q. What color was the City --

15 A. Dark black, dark gray or black. It was
16 also wet.

17 Q. So the fly ash was, like, a gray, and
18 the City ash-like substance was a darker gray?

19 A. Yes.

20 Q. Can you describe what Parker's trucks
21 looked like.

1 A. What did they look like? Well, they
2 were large dump trucks, ten-wheelers for the most
3 part, red in color. Couple of Internationals, I
4 think a GMC or two or a Mack. I think I can
5 remember about five or six of them.

6 Q. Did they have a logo on them?

7 A. No, for a long time they didn't have
8 anything, and then later he put his name on it,
9 but it wasn't really a logo, it was just his
10 name..

11 Q. Did other waste haulers have red trucks
12 that looked similar to that?

13 A. Not similar. Bohager had red ones but
14 they didn't look anything like his.

15 Q. He had the only ten-wheelers?

16 A. In a dump truck, yes.

17 Q. Did you ever meet Mr. Parker?

18 A. Yes, I didn't know him personally, but
19 I have been around him in his company, yes.

20 Q. Can you give me a brief description of
21 what he looked like.

1 A. Tall, thin, colored fellow.

2 Q. Do you know whether Robb Tyler ever
3 paid for the fly ash?

4 A. I don't know. No, I don't.

5 Q. You indicated that you thought fly ash
6 was coming from the Riverside plant. What was the
7 basis for your saying that?

8 A. Well, I had seen the trucks coming out,
9 going in and coming out.

10 Q. What trucks were they?

11 A. Parker's.

12 Q. How did you happen to be at the
13 Riverside plant to see that?

14 A. Just going past. Just going past.

15 Q. You would see the Parker trucks coming
16 out of the plant?

17 A. Right.

18 Q. Could you see what they were carrying?

19 A. The load was normally covered, but for
20 about the first three blocks there was a little
21 dust blowing so you could normally tell what was

1 on there without seeing it.

2 Q. The dust looked like fly ash?

3 A. Yes.

4 Q. Do you know if Parker hauled anything
5 else for Baltimore Gas & Electric?

6 A. No, sir, I don't.

7 Q. Do you know what other clients Parker
8 had?

9 A. No, I believe that was all then. I
10 don't know. I don't know.

11 Q. Do you know whether the Riverside plant
12 was burning oil or coal back in the late 1960s?

13 A. I would believe coal because there was
14 always a big pile of it out there, so I assumed
15 they were burning it.

16 Q. Out where?

17 A. In front of the Riverside plant.

18 Q. What year was that?

19 A. I can't remember what year.

20 Q. What decade would that have been that
21 you remember seeing it?

1 A. Pardon?

2 Q. What decade do you remember seeing coal
3 there?

4 A. It was somewhere in the '60s, but I
5 can't pinpoint just where.

6 Q. Have you ever heard of a company called
7 American Cooperage and Steel Drum?

8 A. Yes, sir.

9 Q. Where are they located?

10 A. Haven Street -- scratch that. It was
11 Kresson Street.

12 Q. Kresson?

13 A. Kresson and about Fairmount Avenue,
14 right in that area.

15 Q. Did you ever haul for American
16 Cooperage?

17 A. I have hauled out of there once or
18 twice, yes.

19 Q. What decade would that have been?

20 A. Probably in the '70s.

21 Q. What were you hauling at that time?

1 A. A lot of times it was 55-gallon drum
2 tops and the rings that go around it, and little
3 trash mixed in with it and that was about it.

4 Q. Did the drums have anything in them?

5 A. No, no, it wasn't the drums, it was
6 just the tops of the drums.

7 Q. Just the tops?

8 A. Yes.

9 Q. Do you know if American Cooperage was a
10 Robb Tyler customer --

11 A. Yes, sir, they were.

12 Q. -- back in the 1960s?

13 A. Uh-huh.

14 Q. Do you know if American Cooperage was a
15 Sauer customer?

16 A. I don't know. No.

17 Q. Can you describe what kind of waste
18 Robb Tyler was hauling out of American Cooperage
19 in the 1960s?

20 A. I had never seen it other than the load
21 that I hauled.

1 Q. Do you know if Cefaloni ever picked up
2 drums from American Cooperage?

3 A. I don't know that he did, no.

4 Q. When you picked up for American
5 Cooperage, did you ever pick up any liquids?

6 A. No, sir.

7 Q. Have you ever heard of a company called
8 Lord Baltimore Press?

9 A. Yes, sir.

10 Q. Were they located on Edison Highway?

11 A. Edison Highway.

12 Q. Did you ever pick up for Lord Baltimore
13 Press?

14 A. On occasion, yes.

15 Q. Would that have been in the '60s or
16 '70s?

17 A. Probably the '70s.

18 Q. How often did you pick up there?

19 A. Just on occasion. It was someone
20 else's stop and I picked it up when he couldn't
21 get it.

1 Q. Do you know whose stop it was?

2 A. I think it was Boswell's.

3 Q. Do you recall what type of waste you
4 hauled out of there?

5 A. Paper, for the most part. Paper and
6 ink containers, small, maybe gallon or gallon and
7 a half ink containers.

8 Q. Any liquids in the waste?

9 A. Not that I had noticed, no.

10 Q. Was Lord Baltimore Press a Robb Tyler
11 customer back in the '60s?

12 A. Yes, they were.

13 Q. How about the '70s?

14 A. Probably the '70s, too.

15 Q. Do you know if Sauer ever picked up
16 from Lord Baltimore Press?

17 A. I don't know, no.

18 Q. Do you know if any waste from Lord
19 Baltimore Press ever went to the Sauer dump?

20 A. Not to my knowledge, no.

21 Q. To the best of your knowledge, their

1 wastes were going to Rosedale --

2 A. Yes.

3 Q. -- until Rosedale closed?

4 A. Right.

5 Q. Backtracking one minute to American
6 Cooperage, did American Cooperage have their own
7 trucks?

8 A. Oh, yes, yes.

9 Q. Did you ever see their trucks at
10 Rosedale?

11 A. Any of their trucks?

12 Q. Yes.

13 A. I can't really say that I have seen
14 them there, no, no.

15 Q. Did you ever see their trucks at
16 Sauer's dump?

17 A. No.

18 Q. Do you know whether any American
19 Cooperage drums were dumped at Sauer's dump?

20 A. I don't know of it, no.

21 Q. Are you familiar with a facility at

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1 5601 Eastern Avenue operated by Glidden Durkee
2 back in the '60s?

3 A. What was the address?

4 Q. 5601 Eastern Avenue.

5 A. I can't pinpoint that one.

6 Q. Are you familiar with any Glidden
7 Durkee facilities in east Baltimore?

8 A. I can remember a Glidden facility being
9 on Broening Highway. 5601 Eastern Avenue? Would
10 it have been under that name, Glidden Durkee, on
11 Eastern Avenue?

12 Q. Or SCM Corporation.

13 A. SCM? Not the Pemco Corporation?

14 Q. Is there a Pemco Corporation in that
15 area?

16 A. In the Eastern Avenue, I don't know the
17 hundred block, but there is one on Eastern
18 Avenue.

19 Q. Let's go back to the Broening Highway
20 facility for a moment. Did you ever haul from
21 there?

1 A. No.

2 Q. Did you ever haul from the Broening
3 Highway facility?

4 A. No, never.

5 Q. Do you know if the Broening Highway
6 facility was a Robb Tyler customer?

7 A. It was at one time. I don't know when
8 but it was.

9 Q. Do you know what kind of wastes were
10 being generated from the Broening Highway
11 facility?

12 A. For the most part, skids and heavy
13 paper bags.

14 Q. Any liquids?

15 A. Not that I seen.

16 Q. How about the Pemco facility, did you
17 ever haul from there?

18 A. I never hauled personally, no, but our
19 company did.

20 Q. And who, do you remember the driver who
21 had that assignment?

1 A. No, I sure don't. But it was pretty
2 much the same material. Cardboard, paper, paper
3 bags.

4 Q. Do you know if they ever hauled any
5 chemicals from there?

6 A. Not that I know of.

7 Q. Do you know if Sauer ever had the
8 contract with Pemco?

9 A. I don't know. No.

10 Q. Did you ever see Cefaloni's trucks
11 there?

12 A. No.

13 Q. These companies I mentioned, American
14 Cooperage, Lord Baltimore Press, Glidden Durkee,
15 Pemco, do you recall any of those names being
16 mentioned by the dispatcher on the radio when you
17 were in your truck?

18 A. No, not really.

19 Q. You testified earlier that you saw fly
20 ash at Sauer's dump, some kind of ash at Sauer's
21 dump; is that correct?

1 A. Yes.

2 Q. Do you recall whether or not it was
3 north of what is now Lombard Street or south of
4 Lombard Street?

5 A. No, sir, I couldn't really. A lot of
6 times they just dumped it in the early part of the
7 landfill and pushed it for road material. I mean,
8 if it was a case of being real wet, they would use
9 that to kind of dry things out.

10 Q. You are saying they dumped it in large
11 piles?

12 A. Just on the side, yes, and kind of used
13 it to, either for road or for cover. To cover
14 landfill.

15 Q. You don't recall whether they were
16 dumping it on the north side or the south side?

17 A. No, sir, I sure can't.

18 MR. BYRD: I don't have any further
19 questions at this time.

20 MS. CASANO: Is anyone from Parker here
21 today?

1 MR. BYRD: No.

2 MS. CASANO: The third-party
3 defendants, I think, are up.

4 EXAMINATION BY MR. ABRAMS:

5 Q. Mr. Jendras, my name is Robert Abrams.
6 I am one of the attorneys for Exxon Corporation in
7 a lawsuit filed by General Motors in this case.

8 Mr. Jendras, you identified Rosedale,
9 Norris Farm and Reedbird as locations where
10 landfills were located, correct?

11 A. Correct.

12 Q. Was there a landfill located at
13 Glidden?

14 A. At Glidden, at what address?

15 Q. I don't know, sir. Have you ever heard
16 of a landfill located somewhere on Glidden?

17 A. Now, you got me there.

18 Q. Have you ever heard of a landfill
19 located on Quarantine Road?

20 A. Yes.

21 Q. Where is that?

1 A. It is just on the other side of the
2 bridge, the Key Bridge. You get off at the first
3 exit, that is Quarantine Road, and to the right of
4 that is the old Quarantine Landfill. That is our
5 old landfill.

6 Q. Is that the east side of town or the
7 west side?

8 A. West side, or south, however you want
9 to refer to it.

10 Q. Do you know when that landfill was in
11 operation?

12 A. It was in operation probably until the,
13 until '79 or '80.

14 Q. I am going to ask you for your help
15 here. When you say the west side of town, can you
16 give me any approximation of how close the
17 Quarantine Landfill is to the east side of town?

18 A. Possibly nine or ten miles.

19 Q. You mentioned the Texas Landfill. When
20 was that in operation?

21 A. Well, it is really still in operation

1 east side of town?

2 A. Yes, or farther from the west side of
3 town.

4 Q. Was the Colgate landfill in operation
5 in the 1960s?

6 A. Yes, sir.

7 Q. And the 1970s?

8 A. Maybe early '70s, yes.

9 Q. Where is the Colgate landfill located?

10 A. It was located on Pulaski Highway right
11 next to the City incinerator, just about at
12 Pulaski Highway and 95.

13 Q. Is that the east side of town or --

14 A. East side.

15 Q. Did the Colgate landfill take waste
16 from everybody?

17 A. It was a paid dump, but they didn't
18 particularly want commercial loads in there. You
19 know, they would rather have the guys that cleaned
20 out the cellars and the back yards, that kind of
21 thing. They didn't particularly care for big

1 haulers.

2 Q. Do you know if they turned away big
3 haulers?

4 A. I don't know that. No, I don't.

5 Q. Is there a landfill located on Octavia
6 Road?

7 A. Batavia Road. Yes, there is.

8 Q. Can you --

9 A. Batavia.

10 MS. CASANO: B-a-t-a-v-i-e?

11 THE WITNESS: I-a.

12 Q. Where is Batavia Road?

13 A. It is on the east side of town, but off
14 of Pulaski Highway. But that was county-operated
15 also.

16 Q. Was Batavia Road landfill in operation
17 during the 1960s?

18 A. Yes, it was in operation but it wasn't
19 for everybody. It was strictly a county
20 landfill.

21 Q. Was it in operation during the 1970s as

1 well?

2 A. I am not sure. If it was, it was the
3 early '70s.

4 Q. And when you say the Batavia Road
5 landfill was a county landfill, do you mean to
6 imply that only county waste was accepted at the
7 landfill?

8 A. That is right.

9 Q. Did the Batavia Road landfill turn away
10 commercial haulers?

11 A. I don't know that they turned away
12 commercial haulers. If you were a county hauler,
13 you could possibly dump there, but if it wasn't
14 county, why, you didn't go in.

15 Q. If, for example, Robb Tyler was hauling
16 for the County, was Robb Tyler allowed to dump at
17 the Batavia Road landfill?

18 A. I don't think that was a regular
19 practice. We had gone in there on occasion for
20 possibly two or three days when our landfill was
21 closed, and of course, we are a Baltimore

1 County-based company. But they still wouldn't let
2 us dump out there. We did dump for the two or
3 three days that they closed down, but that was
4 all. We couldn't go in on a regular basis.

5 Q. There is a City incinerator at Cherry
6 Hill, correct?

7 A. Correct.

8 Q. Did that incinerator accept hauls from
9 everyone?

10 A. No.

11 Q. What was the requirement for dumping at
12 the Cherry Hill City incinerator?

13 A. I never got involved with that side of
14 town that much, but I don't believe everybody was
15 entitled to go in. And I don't know how they
16 determined, you know, who could and who couldn't.
17 I don't know.

18 Q. Did the City also have another
19 incinerator?

20 A. Just that one and the east side, the
21 two.

1 Q. I understand there is one in Cherry
2 Hill.

3 A. That is the west side.

4 Q. Where is the one on the east side?

5 A. East side is Pulaski Highway, Pulaski
6 and 95.

7 Q. And again, you do not know the criteria
8 for acceptance of waste at eastern City
9 incinerator?

10 A. No, I know they had some requirements,
11 but I am not sure what they were. They didn't
12 accept our trash.

13 Q. Did you ever dump at the City
14 incinerator?

15 A. Yes, sir.

16 Q. Why was it that you were allowed to
17 dump there on certain occasions --

18 A. I don't know why. I can't explain
19 why. But to start off with, on occasion I had
20 hauled Hopkins Hospital, Johns Hopkins Hospital.
21 It was a City-operated thing then. It went to the

1 City incinerator. It was burnt at the City
2 incinerator. I don't know whether every load went
3 there or whether the ones that I had hauled were
4 the only ones that went there, I don't know, but
5 on several occasions that I hauled it, I had to
6 take it to the City incinerator.

7 I also had a stationery company,
8 American Bank and Stationery, which was a load of
9 checks and bank materials that was required to be
10 taken to Pulaski Highway and burnt.

11 Q. When you hauled for Johns Hopkins and
12 you took it to the City incinerator, did you stop
13 and pick up hauls from other customers prior to
14 going to the City incinerator?

15 A. Prior -- yes, sure, uh-huh.

16 Q. So what you dumped at the City
17 incinerator consisted of what you picked up from
18 Johns Hopkins as well as other customers?

19 A. No, no. No, no. See, the type of
20 truck that I hauled with picked up only that
21 container, picked up the container, put it on the

1 truck and went. So what you dump is what you got
2 at the one customer. That was only one customer's
3 trash.

4 Q. Earlier today you identified certain
5 Robb Tyler, Inc. competitors including Bohager
6 Trash, Robertson, J&L Hauling, and Modern Trash,
7 and then you said that there were other smaller
8 competitors. Have you thought of any of those
9 other smaller competitors since that testimony?

10 A. Eastern Waste was another one with just
11 a couple of trucks. Cross Trash, well, it may not
12 have been then, but they are a competitor now. He
13 may come along in later years. That is really
14 all.

15 Q. Were there a lot of smaller competitors
16 at that point in time?

17 A. You had a fair amount of people that
18 only had one or two trucks, you know.

19 Q. Do you think of a hauler with around
20 four trucks as being a smaller hauler?

21 A. Yes, yes.

1 Q. Did you believe from your observations
2 that the hauling business in the 1960s and the
3 early 1970s was a very competitive business?

4 A. I would think so, yes.

5 Q. Have you ever heard the term Saturday
6 specials?

7 A. Saturday -- in terms of what?

8 Q. Hauling.

9 A. Hauling? No.

10 Q. That there were certain companies that
11 hauled on Saturday and they were the Saturday
12 special drivers?

13 A. No, never heard that term. The
14 do-it-yourselfers, I always call it, that cleaned
15 out the back yards and the garages, you know, with
16 a pick-up truck. They are not really
17 competitors.

18 Q. Did you consider Sauer to be a Robb
19 Tyler competitor?

20 A. I would say so.

21 Q. Was it your experience that customers

1 of Robb Tyler would switch from time to time from
2 Robb Tyler to other haulers?

3 A. Sure.

4 Q. Did that happen fairly regularly?

5 A. Every time a bid comes up he got a
6 chance of losing a customer, especially a big one,
7 you know, who is going to go for the dollar, and
8 whenever that happens you change customers. We
9 got it this year, you will get it next year, and
10 it probably will always be that way.

11 Q. You said you saw Mr. Cefaloni on
12 Standard Oil's property on one occasion, correct?

13 A. At least one occasion.

14 Q. Was that one occasion the same time
15 that you saw what appeared to be Sauer containers?

16 A. Well, I seen the containers there
17 several times, but it was the only time I seen
18 Sauer's truck there with them. I didn't see him
19 pick them up or I didn't see him unload it, but I
20 seen him in the vicinity of the containers.

21 Q. You described the containers as green.

1 A. Green, tilt-type containers, there
2 wasn't too many of those around. Couldn't have
3 belonged to too many different companies.

4 Q. What color green, a khaki green or --

5 A. Just an average dark green.

6 Q. You have described Tyler's containers
7 by that time as blue. What color were they prior
8 to being blue?

9 A. Green.

10 Q. What color were Bohager's containers?

11 A. Red.

12 Q. What color were J&L Hauling's
13 containers?

14 A. I am not sure. I think they were gray
15 if I am not mistaken.

16 Q. What color were Robertson's containers?

17 A. Robertson's were, I think, red at the
18 time, too. Yes, the trucks were, I am sure they
19 were.

20 Q. What color were Modern Trash's
21 containers?

1 A. Modern's were red.

2 Q. What color were Eastern Waste's
3 containers?

4 A. Eastern was not that heavily involved
5 in containers. It was more or less a hand pickup,
6 although they may have had some out in the
7 county. I didn't see them.

8 Q. You identified another company --
9 MS. CASANO: Cross Trash.

10 Q. Thank you. What color were their
11 containers?

12 A. I believe they were red also.

13 Q. Do you know of instances where
14 customers owned their own containers?

15 A. I don't know of them personally, but I
16 know that there are some, yes.

17 Q. And do you know of instances where
18 customers owning their own containers called Robb
19 Tyler, for example, and asked Robb Tyler to haul
20 trash from those containers?

21 A. Yes, sir.

1 Q. Do customers ever lease containers, to
2 your knowledge?

3 A. I am not certain of that, no. I don't
4 know.

5 Q. Have you ever heard of an instance
6 where a customer leased a container from Robb
7 Tyler and then dumped itself directly on a Robb
8 Tyler landfill?

9 A. Leased a container from Robb Tyler and
10 they themselves dumped it?

11 Q. Yes, sir.

12 A. No, sir.

13 Q. Do you know of any companies that
14 leased dumpster-type containers?

15 A. I don't know of them personally, but I
16 know that it is done.

17 Q. Is it fairly common?

18 A. Yes. Yes, I would say so.

19 Q. When you saw green containers on
20 Standard's property, was there any writing on
21 those green containers?

1 A. No, sir.

2 Q. Were there any special markings on the
3 green containers?

4 A. Not that I know of, no.

5 Q. Were there any labels of any type?

6 A. Not that I observed.

7 Q. What size green containers did you see
8 on Standard's property?

9 A. Eight-yard.

10 Q. Is that all?

11 A. That is all I noticed, yes, sir.

12 Q. Is there a fence around Standard's
13 property?

14 A. Yes, sir.

15 Q. How far from the fence did you observe
16 these green containers?

17 A. From the fence to the container?

18 Q. Yes, sir.

19 A. Maybe 75 feet.

20 Q. How many containers did you see?

21 A. Two.

1 Q. Were they both eight-yard containers?

2 A. Yes, sir.

3 Q. And you were driving by when you saw
4 these containers?

5 A. Yes, sir.

6 Q. Were these two containers located side
7 by side?

8 A. Side by side.

9 Q. Have you ever heard the term direct
10 hauler?

11 A. Direct hauler? I can't remember
12 hearing it.

13 Q. Have you ever heard it used in the
14 context of a company hauling waste with its own
15 employees to a landfill such as Robb Tyler's
16 landfill?

17 A. I don't understand your question.

18 Q. I am asking you, sir, if you ever heard
19 the term direct hauler in the context of a company
20 hauling trash to a Robb Tyler landfill with its
21 own employees.

1 A. With their own equipment and
2 employees?

3 Q. Yes, sir.

4 A. Yes, sir.

5 Q. And that is how you have heard the term
6 direct hauler?

7 A. I didn't hear it direct hauler, but I
8 mean, I have seen it done.

9 Q. During the course of your hauling,
10 there were a lot of instances where it was
11 suggested by the customer that the customer would
12 like to have a particular load dumped where it
13 could be burned rather than spread on a landfill;
14 is that correct?

15 A. That is correct.

16 Q. And you would listen to the customer's
17 demands in those instances, correct?

18 A. Well, I would usually refer him to the
19 office.

20 Q. And the office told you from time to
21 time to take a load where it could be burned

1 rather than spread, correct?

2 A. Correct.

3 Q. And you understood that that was
4 because the customer requested it, correct?

5 A. Correct.

6 Q. When you picked up at a customer's
7 site, the customer signed a service ticket which
8 indicated that you, in fact, made the haul,
9 correct?

10 A. That is true.

11 Q. A copy of that service ticket was left
12 with the customer and two copies were brought back
13 to the dispatcher by you at the end of the day,
14 correct?

15 A. Correct.

16 Q. You also gave the dispatcher a gate
17 receipt or dump ticket from, that you received
18 when you dumped that load, correct?

19 A. Correct.

20 Q. In the statement you gave on June 6,
21 1990, on page 69, lines 6 through 12, you were

1 asked the following questions and gave the
2 following answers:

3 "QUESTION: Did you have customers that
4 were closer to the Sauer dump than the 68th and
5 Pulaski dump?

6 "Answer: Yes.

7 "Question: For those customers, I take
8 it, you still hauled their waste to 68th and
9 Pulaski even though the Sauer dump was closer?

10 "Answer: That is right."

11 That was truthful and accurate
12 testimony; is that correct?

13 A. Other than the three-month period.

14 Q. You testified that Mr. Cefaloni was not
15 always 100 percent truthful, correct?

16 A. Correct.

17 Q. You testified that he exaggerated,
18 correct?

19 A. I will stand on that.

20 Q. He told people what they wanted to
21 hear, correct?

1 A. More than they wanted to hear.

2 Q. He stretched the truth; is that
3 correct?

4 A. A whole lot, right.

5 Q. He tells a little more of the story
6 than the story is, correct?

7 A. That is correct. But he is a good
8 guy.

9 Q. Sometimes he took a little bit of the
10 truth and he expanded on that truth, correct?

11 A. That is true, that is true.

12 Q. He was a BS'er, correct?

13 A. That is it.

14 Q. And he was well known for these traits
15 I have just asked you about?

16 A. Exactly. It wasn't only my opinion, I
17 can guarantee that.

18 Q. Of the waste that went to the 68th and
19 Pulaski landfill operated by Robb Tyler, a
20 percentage of that waste came from Robb Tyler
21 customers and trucks driven by Robb Tyler drivers,

1 correct?

2 A. Correct.

3 Q. A percentage went by customers taking
4 it themselves in their own equipment with their
5 own employees, correct?

6 A. Correct.

7 Q. And a percentage was brought by trash
8 haulers other than Robb Tyler who just were using
9 that landfill, correct?

10 A. Correct.

11 Q. Was an eight-yard container a pretty
12 typical container?

13 A. Pretty much for that type truck.
14 Eights and tens for the most part, eight-yard and
15 ten-yard.

16 Q. Were very common containers?

17 A. Yes.

18 MR. ABRAMS: Thank you very much, sir.

19 EXAMINATION BY MR. MASUR:

20 Q. Mr. Jendras, I am Dan Masur, I
21 represent the City of Baltimore.

1 Following the three-month period of
2 time during which you dumped at the Sauer dump,
3 did the Sauer dump close?

4 A. No.

5 Q. How long did it continue to be in
6 operation?

7 A. Probably a year or two. I think it
8 continued for another, at least a year or two.

9 Q. Are you aware that at some period of
10 time construction began on what was later known as
11 Lombard Avenue?

12 A. True. Lombard Street.

13 Q. Lombard Street.

14 A. Uh-huh.

15 Q. Did the Sauer dump cease to operate at
16 some time before the construction of Lombard
17 Street began?

18 A. I don't really recall where the
19 construction started. If it started up the far
20 end, then possibly they continued to operate, but
21 I thought that, my understanding was they closed

1 the landfill to put the new road through. That is
2 what I understood.

3 Q. Were you aware of a time when
4 construction began on the laying of a sewer along
5 what later became the roadway?

6 A. No, sir, I don't. Not as that, no. I
7 remember working on the road, but I don't remember
8 the sewer by itself.

9 Q. And is it fair to say that prior to the
10 construction of the road at the site, the Sauer
11 dump ceased to operate?

12 A. I would have to say yes.

13 Q. Are you familiar with Baltimore City
14 Hospitals?

15 A. Very much.

16 Q. At any time prior to the closing of the
17 Sauer dump, was Baltimore City Hospitals a
18 customer of Robb Tyler?

19 A. They were at one point, but I really
20 couldn't say when.

21 Q. Do you know whether it was prior to the

1 closing of the Sauer dump?

2 A. I am not sure. I am really not sure.

3 Q. Do you know who, if anyone, if in fact
4 it was a Robb Tyler customer who serviced that
5 account?

6 A. I know we had serviced it at one
7 point. You are talking about the hospital now,
8 right?

9 Q. Right.

10 A. We had serviced it at one point. We
11 lost it, probably on a bid, and one of the larger
12 companies had got it and I don't remember who. I
13 thought it was Bohager, but I may be wrong about
14 that, but I don't remember what year period.

15 Q. Are you familiar with the disposal
16 practices of City Hospitals?

17 A. No, not really.

18 Q. Are you familiar with the disposal
19 services provided by Robb Tyler to other
20 hospitals?

21 A. Vaguely, yes.

1 Q. What other hospitals do you know of
2 that were customers of Robb Tyler?

3 A. Johns Hopkins.

4 Q. Any others?

5 A. Sinai, that is all I am sure of.

6 Q. You testified earlier that you were
7 personally involved with Johns Hopkins. Was there
8 an individual at Johns Hopkins with whom you
9 worked whose name might have been Mr. Frederick?

10 A. I don't recognize the name, no, sir.

11 Q. Did you personally do any dumping
12 services for Sinai Hospital?

13 A. Yes, years ago, yes.

14 Q. And again, do you recognize the name
15 Mr. Frederick in connection with Sinai Hospital?

16 A. No.

17 Q. During what period of time did Robb
18 Tyler service Johns Hopkins Hospital?

19 A. Well, I don't know how far back, but I
20 can go back to, like, 1980 or '79, '80 or '81, in
21 there, but I don't know how much farther back than

1 that.

2 Q. How about Sinai Hospital?

3 A. Sinai would go back probably to about,
4 and I am not speaking for the company, I am
5 speaking only for myself, to about 1972, '70 or
6 '72, somewhere around in there.

7 Q. To the extent that it is your
8 recollection that City Hospitals was ever a Robb
9 Tyler customer, are you able to pinpoint it in
10 time in terms of the period of time during which
11 Robb Tyler was servicing Johns Hopkins or Sinai?

12 A. No, I think -- now, I am not sure, but
13 I know for a fact that City Hospitals had gone
14 back maybe six or seven years ago that we serviced
15 that. Now, at an earlier date, I am not sure, and
16 I suppose that we had Sinai at that time.

17 Q. So you are saying that City Hospitals
18 goes back six or seven years ago from this date?

19 A. Yes.

20 Q. So that would have meant that you were
21 servicing City Hospitals at some point in the

1 1980s?

2 A. True, true.

3 Q. Do you know whether Robb Tyler ever
4 serviced City Hospitals at any time prior to the
5 1980s?

6 A. I don't know for certain, no, sir.

7 Q. Do you have any knowledge of the
8 disposal of waste by City employees at either the
9 Kane and Lombard superfund site or Sauer's dump?

10 A. No, sir, I sure don't.

11 Q. Do you have any knowledge of the
12 disposal of waste generated by the City by anyone
13 at either the Kane and Lombard superfund site or
14 Sauer's dump?

15 A. By the City, you are saying?

16 Q. No, by anyone else, of waste generated
17 by the City.

18 A. That is what I am saying. No, I sure
19 don't.

20 Q. When you went to the Sauer's dump, you
21 were asked earlier about the baseball fields and I

1 believe you identified both baseball fields up
2 next to the Patterson High School as well as
3 baseball fields that ran along Kane Street. Do
4 you recall that?

5 A. Yes.

6 Q. Focusing on the baseball fields along
7 Kane Street, which I believe would be to the east
8 of Sauer's dump?

9 A. East of Sauer's dump, okay.

10 Q. Was there a ravine or gully or any
11 other, any other thing which separated the
12 baseball diamonds from the dump, that you recall?

13 A. No, not that I recall. I didn't see
14 anything there.

15 Q. Was there vegetation which separated
16 the baseball diamond from the dump?

17 A. Oh, definitely, definitely.

18 Q. From the dump could you see the
19 baseball diamonds?

20 A. No, sir. You might see the upper part
21 of it, the one closer to the school, but you

1 couldn't see anything just over the edge of the
2 vegetation. You know, it was higher than the
3 ground was. No, you couldn't see it.

4 Q. And from the dump, could you see
5 Patterson High School or was there vegetation
6 serving as a barrier?

7 A. You could see it. You couldn't see the
8 complete building but you could see the top of the
9 building. You knew very well there was a building
10 there.

11 Q. Was there vegetation between where the
12 dump ended and the grounds of the high school
13 began?

14 A. Yes, yes.

15 Q. Approximately what distance do you
16 think it would be from the entrance to the dump
17 off North Point to the extreme southernmost end of
18 the dump?

19 A. Southernmost end --

20 Q. Yes.

21 A. -- or the western end? You are coming

1 in, you are headed west when you come in the dump,
2 in the landfill.

3 Q. Well --

4 MS. CASANO: The landfill is situated,
5 it is not directly east/west or north/south.

6 A. If you come in this way, you are headed
7 west, kind of.

8 Q. Well, let's say, then, when you are
9 coming in at North Point and proceeding west, what
10 would be the distance from the entrance on North
11 Point to the extreme end of the dump?

12 A. Golly, I don't know. You go a ways
13 back.

14 MR. RYAN: Don't guess if you are not
15 comfortable.

16 A. I really don't know. I really don't
17 know.

18 Q. Well, you had testified or you had
19 stated earlier, in your affidavit you referred
20 to --

21 MS. CASANO: Are you thinking of the

1 400 or 500 yards, Dan?

2 MR. MASUR: Right.

3 MS. CASANO: That is in the transcript,
4 I am sorry.

5 Q. You referred to driving back four to
6 five hundred yards. How far, driving back into
7 the dump, would four to five hundred yards take
8 you?

9 A. I would guess two-thirds of the way
10 back.

11 Q. Two-thirds of the way back?

12 A. Probably. Probably into this area
13 here. Because when we first started dumping
14 there, we didn't go that far back. We were
15 dumping mostly right here and we kept working our
16 way down. On occasion they put it back this way
17 and it was back over here, and they put it back
18 this way and moved it back over here.

19 Q. Is it fair to say that you are
20 indicating that as you went along you moved
21 further and further west, deeper into the dump?

1 A. Yes.

2 Q. And I wonder if I could ask you to make
3 an X mark with the blue pen as to where you would
4 view as being 500 yards into the dump or at least
5 what you were referring to as 500 yards into the
6 dump when you referred to that in the transcript.

7 A. All right now, I am not taking into
8 consideration -- off the record. I am taking into
9 consideration the little landfill office right
10 here.

11 Q. Which is where the two entrance roads
12 intersect?

13 A. Right where they intersect. So we
14 would go back into about here.

15 Q. So that would be what you would view as
16 500 yards.

17 That is on Exhibit 3-A; is that
18 correct?

19 A. 3-A, true.

20 Q. When you were testifying with respect
21 to the Parker trucks at the Sauer Landfill, I was

1 a little confused and let me ask you to clarify
2 it.

3 In the transcript on page 37, lines 9
4 through 12, you stated -- I am sorry -- let me
5 back up. Yes, line 9 through 12.

6 "Question: Did you ever see Mr. Parker
7 haul any fly ash to the site there," referring to
8 Sauer's dump. And you said, "Yes, I never seen
9 Mr. Parker himself, but I have seen his trucks."

10 Now, I understood that to mean that you
11 had seen his trucks at the Sauer dump; is that
12 correct?

13 A. That is correct.

14 Q. Okay. You testified today that you
15 never saw Mr. Parker's trucks dump at the Sauer
16 dump; is that correct?

17 A. That is correct.

18 Q. So you saw his trucks there but you
19 never actually saw them in the act of dumping; is
20 that correct?

21 A. That is correct.

1 Q. During the strike, during the strikes
2 at the -- well, let's just talk about the one
3 which occurred in the 1960s at the Robb Tyler
4 landfill. During that period of time, were there
5 picket lines set up at the landfill by Robb Tyler
6 employees?

7 A. Yes, there were.

8 Q. During that period of time, did Robb
9 Tyler trucks cross the picket lines?

10 A. Did Robb Tyler trucks cross the picket
11 line? I would have to say no. I am not a hundred
12 percent sure, but I can't remember anybody going
13 across the picket lines with Robb Tyler trucks.

14 Q. But during that period of time, do you
15 know where the Robb Tyler trucks would take waste
16 material?

17 A. No, sir.

18 Q. By whom were the Robb Tyler trucks
19 being driven during that period of time?

20 A. I am not sure who was driving them.
21 Not at that particular strike. The later one I

1 could answer for, but not that one. I am not
2 sure.

3 Q. But they were, in fact, the Robb Tyler
4 trucks did continue to operate during that strike?

5 A. Not a hundred percent, but they were
6 still running.

7 Q. Am I correct that the later strike
8 occurred at some point after the Sauer dump had
9 closed?

10 A. Oh, yes, quite a bit. We are going
11 into '79 now.

12 Q. Let's not go into '79 then.

13 A. Okay.

14 Q. You were questioned earlier at some
15 length by Mr. Grummer regarding what happened to
16 waste material on the east side of Baltimore. I
17 just want to make sure when you were testifying as
18 to what occurred as to waste material in the east
19 side of Baltimore, is it fair to say that you were
20 referring to waste material being hauled by
21 private haulers such as Robb Tyler?

1 A. I don't understand the question.

2 Q. Let me back up. You had testified in
3 answer to questions by Mr. Grummer with respect to
4 where waste material on the east side of Baltimore
5 was taken for disposal, and many of the questions
6 referred in general to waste and where it was
7 taken.

8 Is it fair to say that when you
9 responded to those questions, you were addressing
10 what happened to waste which was being hauled by
11 private companies such as Robb Tyler as opposed to
12 waste that was being hauled by City employees?

13 A. Oh, yes. Definitely, definitely.

14 Q. You referred to an ash-like material
15 which was brought to the Robb Tyler Rosedale dump
16 by City employees; do you recall that?

17 A. Correct.

18 Q. During the three-month period following
19 the closing of the Rosedale Landfill, did the City
20 employees bring that ash-like material to the
21 Sauer Landfill?

1 A. I am not sure of that. I am not sure.

2 Q. To your knowledge, did that occur?

3 A. I didn't see it occur.

4 Q. You testified that for some period of
5 time following the closing of the Rosedale
6 Landfill, they continued to bring it to the
7 Rosedale Landfill?

8 A. Yes, sir.

9 Q. And continued to cover the landfill
10 further?

11 A. Yes, sir.

12 Q. Did you review any documents in
13 preparation for your deposition testimony today?

14 A. Nothing other than what I had before.

15 Q. That being your affidavit and your
16 sworn statement?

17 A. The affidavit?

18 Q. The affidavit.

19 A. Yes.

20 MR. MASUR: I have nothing further.

21 MR. RYAN: Why don't we take about a

1 five or ten-minute break.

2 (Recess taken.)

3 EXAMINATION BY MR. BRAGER:

4 Q. Good afternoon, Mr. Jendras. I am Rob
5 Brager, I represent Sweetheart Cup Company in this
6 litigation. I just have, I think, a very few
7 questions, although it may be a mistake to put it
8 that way.

9 I want to ask you a few questions about
10 geography. Are you very familiar with the
11 Baltimore area?

12 A. Pretty well.

13 Q. Okay. It is true, is it not, that the
14 city itself is divided in east and west by Charles
15 Street?

16 A. Charles Street and Baltimore Street.

17 Q. Baltimore Street dividing the city
18 north and south, Charles Street would divide,
19 Charles Street, which runs north and south, would
20 divide the city into east and west?

21 A. East and west.

1 Q. When you refer to east and west
2 portions of the city, is Charles Street a fair
3 barometer to use, or would there be a better
4 barometer to use?

5 A. I only said the east side because that
6 is the east side of town, really, you know.

7 Q. Right.

8 A. And of course, it is a pretty good ways
9 from Charles Street to Pulaski Highway.

10 Q. Sure is.

11 A. But you are right, it is Charles Street
12 and Baltimore Street that divide the city itself;
13 but I am saying from the county area, we are on
14 the east side of town.

15 Q. So there might be portions that would
16 be in the eastern part of the city that would have
17 gone to landfills that you would have referred to
18 as on the western side of the city? Say, someone
19 was picking up wastes from this building or from
20 across the street, which would then be on the
21 eastern side of Charles Street; where would that

1 waste go?

2 A. I don't think it would matter too much
3 there. It is not a question of ten miles. If you
4 are only talking about a block, you would go the
5 closest way, which would probably be right out
6 Hanover Street to Reedbird Avenue.

7 Q. So it would go to the dump that was
8 handling waste for the western part of the city?

9 A. Well, it doesn't have to. It only
10 makes good sense not to cover an extra ten miles.
11 It doesn't have to go there. Because I identified
12 it as east side trash or west side trash doesn't
13 mean it has to go there.

14 Q. No, I understand that, although I would
15 hope that at least for the most part dispatchers
16 and truckers used what would be logical in terms
17 of carrying the waste to a particular site.

18 A. To the closest one, really.

19 Q. Let me interpose a little more
20 geography here. Are you familiar with the
21 Baltimore Beltway?

1 A. Yes.

2 Q. Let's start with, let's just propose a
3 hypothetical facility that is out 95 about three
4 miles south of the beltway. Where would that,
5 where would the waste from that facility go,
6 typically?

7 A. It would be a question of Quarantine or
8 Reedbird. If they were open, it would go there.

9 Q. And if they were not open?

10 A. The only other alternative would be
11 North Point Road, in that area.

12 Q. Let's now move up slightly north on the
13 beltway to, say, Rolling Road.

14 A. Okay.

15 Q. Where would that waste go?

16 MR. RYAN: Once again, you are
17 talking --

18 Q. Hypothetical situation, hypothetical
19 plant.

20 A. Once again, it would come back to
21 either Quarantine or Patapsco Avenue in that

1 area.

2 Q. If those facilities were open?

3 A. If they were open, right.

4 Q. Would the same be true going a little
5 farther north around the beltway from Liberty
6 Road?

7 A. From Liberty Road, yes, yes.

8 Q. Would the same then also be a true
9 going just a little farther north, next exit,
10 Reisterstown Road?

11 A. Yes, because then you are working
12 yourself closer to the landfill, if you continue
13 on around the beltway.

14 Q. Okay. Now, you also mentioned a
15 landfill called, you called it, I believe, the
16 Texas Landfill?

17 A. Texas Landfill.

18 Q. Is that on Marionsville Road?

19 A. No, no, it is on, I am not sure of the
20 road, but it is in the Cockeysville area, if you
21 are familiar with Cockeysville.

1 Q. I sure am.

2 A. All right, where the route goes
3 underneath, but it doesn't anymore, I understand
4 they changed that, but it used to go under the
5 underpass there, well, just to the -- what would
6 it be -- east of that about a mile is a little
7 road that goes off to the left, I don't know the
8 name of it, but it used to go directly to the
9 Texas Landfill.

10 Q. Have you heard of a landfill called the
11 Marionsville landfill?

12 A. Yes.

13 Q. Where was that located?

14 A. Not sure. I have never been out there,
15 but I have heard of it.

16 Q. Do you know who owned or operated that
17 facility?

18 A. No, sir, I sure don't.

19 Q. But that is also out in the northern
20 part of Baltimore County, is it not?

21 A. Yes. Way out, north, yes.

1 Q. Do you know where Sweetheart's facility
2 is located?

3 A. Reisterstown Road, sure.

4 Q. It is about 4 or 5 miles north of the
5 beltway, 3 or 4 miles north of the beltway?

6 A. Yes.

7 Q. Would it make good sense for waste
8 being picked up from that facility to be dumped
9 either at Marionsville or at the Texas Landfill?

10 A. If it were possible, yes.

11 Q. That would make good sense?

12 A. If it were possible, yes, but they are
13 not going to let you dump in Texas, I can tell you
14 that, and I am not sure about the Marriottsville,
15 I haven't heard of too much of that being used.

16 Q. They are not going to let you dump it
17 now. Let's go back to the 1970s, early 1970.

18 A. You could dump at Texas.

19 Q. In 1970?

20 A. Yes.

21 Q. And that would have made good sense to

1 dump --

2 A. Right. It sure would have.

3 MR. BRAGER: I have no further
4 questions. Thank you.

5 EXAMINATION BY MR. CROWE:

6 Q. Mr. Jendras, my name is Tom Crowe and I
7 represent Pori International. I think you
8 testified earlier this morning that during the
9 1980s you were picking up from PORI International?

10 A. Yes.

11 Q. Was that at their facility located at
12 Sparrows Point, the Bethlehem Steel up at Sparrows
13 Point?

14 A. Yes, sir.

15 Q. Is that the facility in the area of
16 gate 11?

17 A. Yes, it is.

18 Q. When I use the word PORI from now on, I
19 am going to be speaking about that facility. Can
20 we agree to that shorthand use of the term? When
21 I talk about PORI, I am going to be talking about

1 the facility you described at the Bethlehem Steel
2 plant.

3 A. That's right. That is the only thing I
4 know it by.

5 Q. Sure. Now, I also believe that you
6 testified you became the safety director for Robb
7 Tyler in 1974?

8 A. I don't remember mentioning that today,
9 but yes, that is true.

10 Q. And prior to that time you were a
11 driver; am I correct?

12 A. True.

13 Q. And did you also testify this morning
14 that prior to 1974 you had hauled trash or waste
15 from PORI on approximately two occasions?

16 A. Yes, sir.

17 Q. Do you know about when it was that you
18 hauled the trash from PORI?

19 A. Prior, you are saying now prior --

20 Q. Prior to '74.

21 A. No, sir, I do not.

1 Q. Could have been anywhere within a
2 period of years; is that correct?

3 A. Yes, exactly.

4 Q. And was the trash or wastes that you
5 were hauling at that time the gray cake or the
6 gray flaky material that you described earlier in
7 your testimony?

8 A. For the most part. A lot of times you
9 would see the flakes and then you would see
10 dribbles of wet stuff, but most of the stuff was a
11 flake-like material.

12 Q. Well, you said most of the time, but
13 prior to '74, you only think you were there about
14 twice?

15 A. Yes, and I don't really remember it
16 then. I really don't remember it.

17 Q. Was the material that you hauled away
18 from PORI different or distinctive? By that I
19 mean could you distinguish it from other types of
20 waste and trash that you have hauled through the
21 years?

- 1 A. By the odor you could.
- 2 Q. Could you distinguish it by sight?
- 3 A. Yes. Sure.
- 4 Q. Do you know when PORI became, when that
- 5 facility became a Robb Tyler customer?
- 6 A. I don't remember the exact year, no,
- 7 but I know it has been around for a while.
- 8 Q. During the period of time before '74,
- 9 those two occasions when you hauled the trash,
- 10 were you filling in for another Robb Tyler
- 11 customer?
- 12 A. Another Robb Tyler customer? Or
- 13 driver?
- 14 Q. Another Robb Tyler driver.
- 15 A. True, true.
- 16 Q. So you know that at least at some point
- 17 prior to '74 they were a Robb Tyler customer?
- 18 A. Yes, sir.
- 19 Q. And they were serviced by a Robb Tyler
- 20 driver?
- 21 A. Yes, sir.

1 Q. Are you familiar with the types of
2 forms that the Robb Tyler office used when it
3 acquired a new customer?

4 A. I don't understand what you mean by
5 forms.

6 Q. Well, let me have this marked and we
7 will take a look at the form itself.

8 (Whereupon, Jendras Deposition
9 Exhibit No. 10, new service form, marked.)

10 A. Well, this was involving the
11 salesperson that sold the stop.

12 Q. So this is, you are familiar with this
13 form; is that correct?

14 A. Well, I am familiar with it to the
15 extent of seeing it, but I never got involved with
16 filling them out.

17 Q. Do you recognize any of the handwriting
18 on your Deposition Exhibit 10?

19 A. No, I can't say that I do.

20 Q. The check up on the upper left-hand
21 corner in the block which says new order --

- 1 A. True.
- 2 Q. -- do you know what that refers to?
- 3 A. Simply a new order. New service.
- 4 Q. Does it mean a new customer?
- 5 MR. RYAN: If you know.
- 6 Q. If you know.
- 7 A. Not necessarily.
- 8 Q. If you would go down the form, it
- 9 indicates that there is a one, six-yard dumpster;
- 10 do you see that notation?
- 11 A. Yes, sir.
- 12 Q. And next to that the initials CI, or
- 13 perhaps the letter C and the number 1, are
- 14 circled. Do you know what that refers to, sir?
- 15 A. Not really.
- 16 Q. Have you ever had occasion to place
- 17 trash containers at customers' facilities when
- 18 they were starting a new service?
- 19 A. Sure.
- 20 Q. And does the notation on the line
- 21 Special Instructions convey anything to you?

1 MR. RYAN: I am not sure what your
2 question is. You want him to just read what it
3 says?

4 Q. Well, just read it to yourself.

5 A. I understand what it says, but it
6 wouldn't be too helpful if he didn't know where he
7 was going. Yes, I understand.

8 Q. Is it your understanding that that is a
9 direction to a Robb Tyler employee to put a 6-yard
10 dumpster near gate 11 at the Sparrows Point
11 facility?

12 A. It does, it does.

13 Q. The initials next to the salesman's
14 block appear to be LMR. Do you know whose
15 initials those are?

16 A. No, I certainly don't.

17 Q. Do you know a man by the name of
18 Robinson who worked at Robb Tyler in 1969?

19 A. Yes, sir, I sure do.

20 Q. Do you know what Mr. Robinson's first
21 name or his middle initial were?

1 A. Well, I had really not heard him
2 referred to as anything besides Mr. Rob, and I
3 knew him a pretty good while. But that was all I
4 knew.

5 Q. Moving over to the right, there is a
6 line with the letters PER. Do you know what that
7 stands for?

8 A. To the right?

9 Q. Yes, sir.

10 MR. RYAN: I am not sure what that is.

11 A. Not sure what that is either. It looks
12 like MG.

13 Q. My first question for you is what does
14 PER mean.

15 A. Oh, oh, okay, I understand what you are
16 saying now. Per whoever signed it.

17 Q. And can you read those initials?

18 A. I would say MG. I am not sure that
19 that is true.

20 Q. Do you know anybody at Robb Tyler in
21 1969 who had the initials MG?

1 A. I don't recall it, but apparently --
2 yes, I do. I don't recall the name.

3 Q. Well, are you indicating that you
4 remember that there was somebody at Robb Tyler who
5 had those initials but you can't recall his name?

6 A. If they were at Robb Tyler at this
7 time, I would probably remember him, but I don't
8 remember the initials.

9 Q. Sometimes we ask kind of stupid
10 questions, you have to bear with us.

11 Do you see the two sets of initials
12 next to the line for dispatcher?

13 A. Right.

14 Q. Do you recognize either of those
15 dispatchers?

16 A. Not really.

17 Q. On the line President there are the
18 initials RT. Would that likely have been Robb
19 Tyler?

20 A. Robb Tyler.

21 Q. Do you know whether or not PORI was a

1 Robb Tyler customer before July 22, 1969?

2 A. I am quite sure they were, yes, sir.

3 Q. And why is it that you are sure they
4 were?

5 A. Well, it seems to me I remember the
6 name prior to that year, although, like I said
7 before, I didn't get involved too much with PORI
8 other than the two stops, and I am sure that was
9 prior to '69, or I thought it was prior to '69.

10 Q. But you are not positive, are you?

11 A. Not positive, no. The only reason I
12 say that is I know that I did not dump at the
13 North Point Road Landfill at the time that I
14 hauled it, so I can't remember what year it was,
15 but I know it didn't go there.

16 Q. Well, you are indicating that at the
17 time you hauled for PORI you did not dump at the
18 North Point landfill?

19 A. True.

20 Q. Is that the landfill which was at 68th
21 and Pulaski?

1 A. No, that is probably where I took it,
2 68th and Pulaski.

3 Q. It did not go to North Point Road?

4 A. Did not go to North Point Road.
5 Sauer's landfill.

6 Q. So you clearly know that you have never
7 dumped anything from PORI at Sauer's landfill?

8 A. I shouldn't -- no, I did not.

9 Q. During the 19 -- okay, at any time
10 prior to 1974, did you ever dump material from
11 PORI at the Norris Farm Landfill?

12 A. Prior to '74?

13 Q. Yes.

14 A. And you are going back -- no, sir.

15 Q. Okay. Let me ask you some questions
16 about communications you have testified you
17 overheard on your radio.

18 Do you recall testifying this morning
19 that you heard some radio communications from a
20 Robb Tyler dispatcher to the Robb Tyler scale
21 house?

1 A. Yes, sir.

2 Q. And what was it that you heard? As
3 precisely as you can, would you tell me what you
4 heard said.

5 A. Simply pick up Pori Oil. I think it
6 was not referred to as PORI then, I think it was
7 referred to as Palm as it shows on here. But I
8 knew the stop, knew the stop, but I had never
9 hauled it before.

10 Q. And were they telling, was it that a
11 particular individual was supposed to pick up from
12 PORI?

13 A. Right. It was Mike Cefaloni who
14 normally picked up an overflow of our work, if we
15 had an overflow, and they had told him to go down
16 to Pori Oil. That was it.

17 Q. Do you recall what period -- how many
18 times do you think that you heard that message?

19 A. I couldn't really say. Several times,
20 I am sure.

21 Q. That would be several times over a

1 period of several years?

2 A. Of time, yes. I don't recall exactly
3 when, but I did hear the message several times.

4 Q. It wasn't something which occurred once
5 a week, was it?

6 A. No, no.

7 Q. Did it occur once a month?

8 A. Well, it may have, but I didn't hear
9 it, you know. No, I heard it several times, that
10 was all.

11 Q. And the calls were always going to a
12 Robb Tyler scale house?

13 A. Yes.

14 Q. And when the Robb Tyler dispatcher
15 wanted to speak to Cefaloni or he wanted a message
16 conveyed to Cefaloni, what he was doing was
17 calling a scale house at a Robb Tyler dump?

18 A. Right.

19 Q. Now, I would assume that on these
20 occasions you don't know if the message was
21 conveyed to Cefaloni, do you?

1 A. I don't know for a fact, no.

2 Q. And, in fact, is it true that you have
3 never seen Michael Cefaloni either hauling or
4 dumping any materials for PORI?

5 A. I can't say for a fact that I had seen
6 him, although I know that he did.

7 Q. But you don't have personal knowledge
8 that he did?

9 A. I have personal knowledge as far as
10 seeing the after-effects on the back of his truck,
11 but I did not see him with the load or dump the
12 load necessarily, but I could tell that he had
13 hauled it.

14 Q. Did you ever see Cefaloni or a Sauer
15 truck or a North Point truck at the PORI facility?

16 A. No. No.

17 Q. Now, earlier today you testified about
18 the process that you understood was used at PORI
19 where they took liquid and they produced a solid.
20 Did you ever, did anybody at PORI ever explain
21 that process to you?

1 A. Yes, they did.

2 Q. Who was that?

3 A. I can't remember who.

4 Q. Do you know for a fact that at the end
5 of that process, that there is no liquid that is
6 drawn out of the machine?

7 A. There shouldn't be, but on occasion
8 there is.

9 MR. CROWE: I think that is all I
10 have. Just give me a moment to look at my notes.

11 Q. Do you know who the Robb Tyler driver
12 was for PORI at any time prior to '74 when you
13 became safety director?

14 A. I believe it was Boswell's stop. I
15 believe for the most part it was Boswell.

16 MR. CROWE: Thank you.

17 EXAMINATION BY MR. KARABA:

18 Q. Mr. Jendras, my name is Tom Karaba, I
19 represent the O'Brien Corporation.

20 Prior to lunch, you testified that you
21 picked up waste from O'Brien Paint on an

1 occasional basis; do you remember that?

2 A. Yes, sir.

3 Q. Did you ever dump that waste at the
4 Sauer dump?

5 A. No, sir.

6 Q. What size loads did you pick up from
7 O'Brien Paint?

8 A. Ten-yard containers.

9 Q. Do you recall how many times you picked
10 up from O'Brien Paint?

11 A. No. It wasn't very many. I understand
12 that they called in when they needed service.
13 They weren't on a scheduled pickup, and it wasn't
14 my stop, but I picked it up if the other guy had
15 more than he could handle.

16 Q. And the other guy was Mr. Boswell?

17 A. Boswell.

18 Q. Again, before the lunch hour, you
19 testified that you did not know whether or not
20 Michael Cefaloni ever picked up from O'Brien.
21 After lunch you testified that Mr. Cefaloni

1 possibly picked up from O'Brien Paint.

2 Do you know whether or not Mr. Cefaloni
3 ever picked up from O'Brien Paint?

4 A. I couldn't be a hundred percent sure.
5 But again, I am saying that Cefaloni usually
6 picked up the overflow, so if the guy was in
7 trouble, Cefaloni could have picked it up; but no,
8 I never seen him with a load, no.

9 Q. You never saw Mr. Cefaloni with a load
10 from O'Brien?

11 A. No.

12 Q. Did you ever hear the dispatcher send
13 Mr. Cefaloni to the O'Brien plant?

14 A. No.

15 Q. What three months in 1969 was the
16 Rosedale dump closed?

17 A. I can't remember exactly. I can't
18 remember.

19 Q. Do you remember if it was the beginning
20 or the end of the year?

21 A. No, I really don't.

1 MR. KARABA: I have no further
2 questions. Thank you.

3 MR. JOSEPH: Before I start asking
4 questions, most of you all know that Weinberg &
5 Green represents both Crown Cork and Seal and HM
6 Holding in this matter, and my name is David
7 Joseph, and I am a new associate at Weinberg, and
8 so I have never seen you before. I am probably
9 going to be appearing at most of the depositions
10 on behalf of both of our clients, so just for your
11 knowledge, if you don't understand my role, I will
12 be wearing different hats in this.

13 EXAMINATION BY MR. JOSEPH:

14 Q. Mr. Jendras, as you probably just
15 heard, my name is David Joseph, and first I am
16 going to represent Crown Cork and Seal.

17 You earlier testified that Crown Cork
18 was a customer of Robb Tyler; is that correct?

19 A. That is true.

20 Q. But you really weren't certain as to
21 when they were a customer; is that correct?

1 A. No.

2 Q. Do you know if it was before 1969 or
3 after 1969?

4 A. I would have to say before '69, but I
5 am not certain.

6 Q. But you did testify that you did not
7 think they were a customer in 1969; is that
8 correct?

9 A. Again, I am not sure. I am not sure.
10 I know in the early years they were a customer.
11 Whether they went into the later years in '69, I
12 am not certain.

13 Q. Did you yourself ever make any pickups
14 at Crown Cork and Seal?

15 A. No.

16 Q. Do you know who may have made pickups
17 on behalf of Robb Tyler?

18 A. I can't remember which driver, no.

19 Q. It was earlier suggested that there
20 were bottle caps bearing the Crown Cork and Seal
21 logo found at Sauer's dump. Do you have any

1 knowledge of these bottle caps or --

2 A. I have never seen them, no.

3 Q. You also testified that you had never
4 seen Mr. Cefaloni make any pickups from Crown Cork
5 and Seal; is that correct?

6 A. That is correct.

7 Q. And you also testified that you never
8 heard Mr. Cefaloni receive a call to make a pickup
9 from Crown Cork and Seal?

10 A. No, indeed.

11 Q. Do you have any knowledge whatsoever of
12 any waste from Crown Cork and Seal which may have
13 been transported or deposited at the Sauer
14 Landfill?

15 A. No, sir, I don't.

16 Q. I am going to ask you some questions
17 about HM Holding now.

18 You previously testified that you were
19 not familiar with a Glidden plant located at 5601
20 Eastern Avenue; is that correct?

21 A. True.

1 Q. However, you responded by saying that
2 you thought there was a Glidden Durkee plant on
3 Broening Highway which was a Robb Tyler customer;
4 is that correct?

5 A. Correct.

6 Q. Do you remember what kind of trash may
7 have been picked up by Robb Tyler?

8 A. At Broening Highway?

9 Q. Yes, sir.

10 A. For the most part, what I have seen
11 were broken skids. They had a compactor out there
12 that compacted the trash into the container, so it
13 broke up wooden skids and heavy paper bags, like,
14 a hundred pound bags or so, or they appeared to
15 be. Mostly that kind of material from what I have
16 seen.

17 Q. No chemicals or liquids?

18 A. To my knowledge, no.

19 Q. Are you familiar with SCM Corporation?

20 A. Yes, I have seen the name.

21 Q. Do you have any knowledge of them being

1 a Robb Tyler customer?

2 A. Is that the one over in Fairfield? The
3 company over in Fairfield, SCM?

4 Q. Well, what address would it be in
5 Fairfield, do you know?

6 A. I am not sure.

7 Q. Do you have any knowledge of --

8 A. Fairfield Road.

9 Q. Do you have any knowledge of any
10 pickups being made from an SCM in Fairfield?

11 A. If it is the one I am thinking of, yes,
12 I think it is Fairfield Avenue. If that is the
13 one we are talking about, yes.

14 Q. What kind of products did SCM in
15 Fairfield produce?

16 A. I really don't know.

17 Q. Do you know what kind of trash or waste
18 was produced?

19 A. Never seen it, no.

20 Q. Do you know who on behalf of Robb Tyler
21 may have made pickups from SCM?

1 A. Don't know personally, but it would
2 have been, again, the larger truck, you know.
3 Wouldn't have been my type, and I don't know who
4 it would have been.

5 Q. What years, do you know?

6 A. Seems to me we, oh, I don't know how
7 far back they would go, but we have had them up
8 just recently, several years ago. Maybe we still
9 do, I don't know.

10 Q. But you have no knowledge as to what
11 years pickups were made?

12 A. No, no.

13 Q. Are you familiar with the Solly Road
14 Landfill in Anne Arundel County?

15 A. Yes.

16 Q. I don't want to open a new can of worms
17 here, but I just want to find out, do you know of
18 any disposals or any waste being transported from
19 the eastern Baltimore area, as we have termed it
20 today, to the Solly Road Landfill?

21 A. I don't know of any particular one that

1 went over there, but I am sure there was some
2 going over. Now, I couldn't pinpoint who.

3 Q. Do you know if Robb Tyler actually made
4 deliveries or dumps out at the Solly Road
5 Landfill?

6 A. No, I certainly don't know. I couldn't
7 say that.

8 Q. Okay.

9 MR. JOSEPH: That is all I have,
10 thanks.

11 EXAMINATION BY MR. BLEICHER:

12 Q. My name is Sam Bleicher, I represent
13 Allied-Signal Inc. You have been very patient
14 with us today, we appreciate it. I have a number
15 of loose ends that I wanted to address with you.

16 You mentioned a radio in your truck on
17 which you heard the dispatcher. When did you get
18 the radio. Do you have any idea? Did you have a
19 radio in the '60s?

20 A. Can't remember not having it, but I
21 really don't remember how far back it goes.

1 Q. But you think you had it in the late
2 1960s in the time period we are --

3 A. Yes.

4 Q. All right. Number two, you mentioned
5 that the world was divided into the east Baltimore
6 area and the west Baltimore area and you
7 mentioned --

8 A. I didn't mean to start any trouble when
9 I said that.

10 Q. No, it is not trouble but it is
11 important.

12 A. Okay.

13 Q. I just wanted to find out, you had
14 mentioned Conkling Street; is that right?

15 A. Yes.

16 Q. And that is about a block east of
17 Highland Avenue?

18 A. That is right.

19 Q. You seem to be very specific about
20 that, I mean, it is not Highland Avenue that you
21 consider the dividing line?

1 A. Oh, no, I never said that, no, no. I
2 don't know where you got that from. I didn't say
3 that. I am familiar with Highland Avenue, but it
4 is not far from the dividing line. Now, when we
5 talked about dividing line, we talked about
6 downtown Baltimore, Charles Street dividing it one
7 way, Baltimore Street dividing it the other way.

8 Q. When you mentioned Conkling Street, my
9 understanding was that you were saying that
10 material that was, whose source was east of
11 Conkling Street --

12 A. Well, I was saying that that would be
13 the eastern side of town, you know, so if you have
14 got anything at Conkling Street, it would go on
15 the east side of town. It wouldn't make sense to
16 bring it all the way over on the west side of
17 town. That is all I meant by that.

18 Q. And conversely, for plants that were
19 located west of Conkling Street, their waste would
20 probably have gone to the west?

21 A. Well, if it was blocks farther than

1 Conkling, possibly. But you probably would still
2 be closer if you were, like, within another
3 ten-block area.

4 Q. Another ten-block area, all right.

5 MR. BLEICHER: Can we go off the record
6 a moment.

7 (Discussion off the record.)

8 Q. Mr. Jendras, I am giving you a page
9 which is a page out of a current Baltimore City
10 atlas, and I have marked Conkling Street which, is
11 that the street you meant that I have marked
12 there?

13 A. Right.

14 Q. Which is a block east of Highland
15 Street?

16 A. Exactly.

17 (Whereupon, Jendras Deposition
18 Exhibit No. 11, map, marked.)

19 Q. Do you know the location of any Allied
20 Chemical plants that were in operation around 1969
21 in the Baltimore metropolitan area?

1 A. I only know of one Allied Chemical and
2 that was the one down at Fells Point. I don't
3 know the address.

4 Q. All right.

5 A. That is the only one I really know of
6 that was Allied Chemical.

7 Q. And how far is it from Conkling Street?

8 A. From Conkling?

9 Q. Yes.

10 MR. RYAN: If you know. Don't guess.

11 Q. If you don't, I can make it easier by
12 giving you Exhibit 12, which is the rest of the
13 map.

14 A. Well, I know where it is but I don't
15 know what block. Maybe 20 or 30 blocks.

16 Q. All right. Thank you.

17 (Whereupon, Jendras Deposition
18 Exhibit No. 12, map, marked.)

19 Q. If you look at Exhibit 12 which is
20 another page out of the atlas, which, the page is
21 immediately south of the page I just gave you if

1 you want to put them one above the other, but it
2 shows Conkling Street and it also shows, there is
3 a yellow area at Fells Point, a Block and Wills.
4 Is that the area you meant as the Allied plant?

5 A. Right. Block and Wills, I couldn't
6 think of the address, yes, that is it.

7 Q. And then I have marked another area in
8 yellow which is entitled, which is called Race
9 Street.

10 A. Okay.

11 Q. Are you familiar with that area at all?

12 A. Race, yes.

13 Q. Do you know what is there now?

14 A. What is there now? I am not sure.

15 Q. Do you know what was there in 1969?

16 A. Race Street.

17 Q. Would you say what you are shaking your
18 head to mean?

19 A. It doesn't ring a bell.

20 Q. That is fine. Thank you.

21 You said there were five to seven

1 trucks that serviced the west side; is that
2 correct?

3 A. Approximately.

4 Q. All right. Who, can you name some of
5 the drivers that drove those routes in 1969?

6 A. If you give me that list of drivers --

7 Q. I was just going to see if we can
8 refresh your memory with the list. I have to find
9 Exhibit 4. We are looking again at Exhibit No.
10 4.

11 A. You got Doc Hershman, Feathers, Wade
12 Feathers, Joe Robinson, Lambert, Brooks, and
13 Booker, that would have probably been on that side
14 of town.

15 Q. What about Andrew Ragsdale?

16 A. I am not sure.

17 Q. Thank you.

18 A. I am not sure of Ragsdale.

19 Q. Okay. What about Elwood Elmore?

20 A. Possibly. Possibly.

21 Q. As long as we are pursuing this, is

1 there any reason why someone picking up material
2 west of Conkling Street might take it to Reedbird
3 during the week and someplace else on weekends?

4 A. No, I can think of no reason.

5 Q. Were the landfills both open pretty
6 much the same hours as far as you knew?

7 A. Yes, they were open pretty much the
8 same hours.

9 Q. Were they open on Saturdays?

10 A. Possibly they may have closed a half
11 day on Saturday. I am not sure of that but they
12 could have. That would be one reason, I guess.
13 Other than that, I don't know of any reason.

14 Q. Fine. Did you ever take material from
15 Allied Chemical to Sauer's dump?

16 A. To Sauer's dump? No, sir.

17 Q. All right. Do you know if Allied
18 Chemical was a Robb Tyler customer?

19 A. Yes, they were.

20 Q. Do you know whose route it was?

21 A. No, I don't.

1 Q. Did you ever go to the Allied Chemical
2 plant?

3 A. Yes, sir.

4 Q. Do you know what years you went?

5 A. No, I don't remember the year.

6 Q. Anytime around 1969 or would --

7 A. Seems to me it was prior to '69.

8 Q. Prior to '69, all right. Do you
9 remember the facility at all, do you know where
10 the facility was or what --

11 A. I do, indeed.

12 Q. Can you just describe for me how you
13 got there, where you went in the gate, what you
14 picked up and so on?

15 A. You went down the foot of Broadway,
16 which is the end of Broadway for those who don't
17 understand Broadway, go down the end, make a
18 right-hand turn on Thames Street and take that to
19 almost a dead end, and then make a right-hand turn
20 right in the yard, right in Allied's yard. You
21 first stop and get a pair of glasses or you didn't

1 go any farther.

2 Q. You stopped at the guardhouse?

3 A. That is right. And also a face mask.

4 Q. Was there a gate?

5 A. There was a gate.

6 Q. And where did you go from there?

7 A. In my case, I went all the way down to
8 the end of that same road, to the end of the
9 building, and made a right-hand turn. Now, excuse
10 me, I turned around there and backed up alongside
11 the water to the far end of that building, around
12 the corner, and picked up the container right
13 there.

14 Q. Backed up to the right, so when you
15 were backing up, were you going north, do I
16 understand?

17 A. North, exactly.

18 Q. So this container was on the northwest
19 corner of the facility? On the water's edge?

20 A. Northwest corner.

21 Q. How often did you go there?

1 A. Not very often. I don't know, I picked
2 up probably half a dozen times that I had picked
3 it up, and it seemed to me it was on a call-in
4 basis, not a scheduled pickup, if I remember
5 right.

6 Q. All right. And where did you take
7 those materials?

8 A. To North Point Road. Not Sauer's now,
9 I am talking to our North Point Road.

10 Q. Rosedale?

11 A. Rosedale.

12 Q. Okay. The dispatcher sent you there,
13 was that how it, was that why you went, were you
14 given special instructions to go?

15 A. Not special instructions, no. It was
16 just the easiest way.

17 Q. Okay. The times that you went were
18 widely spaced; did you go for a few weeks and then
19 not go at all?

20 A. Well, no particular pattern. It was on
21 a call-in basis and maybe I didn't go for a week

1 or two and then I would go once or twice, and
2 then -- at intervals.

3 Q. But altogether, it was only about six
4 or seven times?

5 A. About six times, yes.

6 Q. There are a couple other loose ends.
7 Mr. Boswell, you have mentioned him,
8 and he was a friend of yours; is that a fair
9 statement?

10 A. Yes.

11 Q. You said in the transcript that we have
12 looked at earlier, and I don't have the page
13 number, it was already quoted into the record,
14 about people drinking at the Sauer site,
15 beer-drinking at the Sauer site; was Boswell there
16 drinking beer?

17 A. Yes, he was.

18 Q. Often?

19 A. Maybe every day. Is that often?

20 Q. That answers the question. Would you
21 say that Mr. Boswell is generally a truthful man?

1 A. For the most part, yes, yes.

2 Q. About his drinking?

3 A. Oh, I don't know about that. He never
4 seemed to answer any questions about his
5 drinking.

6 Q. Do you know Andrew Ragsdale?

7 A. Yes, I do.

8 Q. Do you know him fairly well?

9 A. Pretty good.

10 Q. Would you say he is a friend?

11 A. Yes.

12 Q. Would you say he is a fairly truthful
13 person?

14 A. Yes.

15 Q. Let me come back, while I am thinking
16 of it, to your answer to the question of where you
17 took the waste when you picked it up from
18 Allied-Signal. You said you took it to Rosedale?

19 A. Rosedale.

20 Q. Earlier you had suggested that the
21 Allied plant is probably closer to, well, it is

1 far from the Conkling line, let's put it that way,
2 that you had drawn. Wouldn't it have been easier
3 to take it to Reedbird?

4 A. No.

5 Q. Why not?

6 A. Well, you are going all the way over on
7 the west side of town, to start with. So I worked
8 on the east side; I am going to go over there and
9 I am going to have to come back to -- I go to the
10 east side to start with.

11 Q. It is closer for you because of your
12 route?

13 A. Right. Now if you were going to end
14 your trip on the west side of town, then it might
15 be closer.

16 Q. For a driver who served the west side
17 of town?

18 A. Right. If he didn't have to come back
19 downtown again, he would probably be better off,
20 but in my case, I was better off going east.

21 Q. If I may ask you another question about

1 the Allied plant, your truck operated in such a
2 way that you didn't open the containers when you
3 picked them up; is that correct?

4 A. When I picked them up? No. When I
5 dumped it, I had to open it.

6 Q. You had to open it. Did you personally
7 open it?

8 A. Well, no, the truck did it. When I
9 dumped it, put it in the dump position, it
10 automatically opened.

11 Q. All right. And did you observe what
12 was in the dumpster?

13 A. Yes, I did.

14 Q. What came out of the Allied dumpster,
15 do you know?

16 A. Colored-looking substance, I don't
17 know, looked like sand, only it was stuck-together
18 sand, I don't know how to explain it any better
19 than that. It looked like jello that went bad,
20 you know what I mean? That is what it looked
21 like.

1 Q. All right. And do you know what year
2 this was? You don't remember what year this was?

3 A. No, I don't remember what year.

4 Q. Okay. Let me go over some more ground
5 that you have been over a couple times today.

6 We have talked about where you dumped
7 material when you went to the Sauer Landfill
8 during that three-month period.

9 A. Uh-huh.

10 Q. Do you know Edgar Smith?

11 A. Yes, I do.

12 Q. And do you have the opinion that he is
13 a truthful man?

14 A. Yes.

15 Q. And is he careful about what he says
16 and precise about what he says?

17 A. Pretty much. Pretty much.

18 Q. Was he the only Robb Tyler bulldozer
19 operator at the Sauer Landfill during this period?

20 A. He is the only one that I can remember
21 being over there.

1 Q. And the other operator that you
2 mentioned was Luke Sauer?

3 A. Luke Sauer.

4 Q. Would Mr. Smith have a better idea than
5 you, do you think, about where the Robb Tyler
6 waste was dumped at that location?

7 A. I would be sure he would because he was
8 there all day long. My trips were maybe six,
9 seven a day, in and out, where he was there all
10 day long.

11 Q. And was it his job to sort of pick the
12 places where the material was going to go?

13 A. Well, I don't know whether it was his
14 job to pick. It wasn't his landfill or our
15 landfill, to start with, you know, he is working
16 for somebody else, really.

17 Q. So if he didn't make the decision
18 himself, then presumably he was instructed by
19 someone about what he could do?

20 A. Exactly.

21 Q. Would you have known if he had

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1 instructions about where he was to dump the
2 material?

3 A. No.

4 Q. All right, so if he had instructions to
5 stay on the northern part of the property, for
6 example, you wouldn't know about it?

7 A. I wouldn't know about it other than he
8 would be on the northern part, you know.

9 Q. And when you were there, that is where
10 you saw him?

11 A. Yes, right. Right.

12 MR. GRUMMER: Could you read back the
13 question and answer, please.

14 (The record was read by the reporter.)

15 MR. GRUMMER: Would you mark that for
16 later reference.

17 Q. Now, in your affidavit in paragraph No.
18 4, the last sentence of that says: "The dumping
19 there occurred on both sides of what is now
20 Lombard Street." And obviously we have talked
21 about that before today and you have already

1 indicated that you are not sure exactly where
2 Lombard Street went, you are not prepared --

3 A. At that point I wouldn't.

4 Q. All right. All right. When you say
5 the dumping there, do you mean Robb Tyler's
6 dumping there or do you mean all of the dumping?

7 A. All of it.

8 Q. So you don't know whether part of it
9 was set aside for Robb Tyler and part of it was
10 being used by Sauer?

11 A. I don't know that, no.

12 Q. Both companies were operating at that
13 same landfill at the same time during this period?

14 A. Along with others.

15 Q. Along with others, that is right.

16 MR. BLEICHER: Let me stop for a
17 minute. Let me just look over my notes for a
18 minute.

19 Yes, I have one other question, I am
20 not sure what to make of this.

21 Q. Do you recall a strike at the Robb

1 Tyler company of drivers helpers, mechanics and
2 landfill operators in January of 1969?

3 A. Yes, sir.

4 Q. Do you know how long that strike
5 lasted?

6 A. I think it was only two or three
7 weeks. I think I answered that before. Two or
8 three weeks.

9 Q. I wasn't clear that you had said there
10 was a strike in 1969. Maybe I misunderstood the
11 question.

12 A. Well, now, wait a minute. In the '60s,
13 I can't remember whether it was '69, but the one
14 that we had in the '60s is the one I was referring
15 to. If it was '69, that is the one. But it was
16 about two or three weeks at the most.

17 Q. And what did you do during that period?

18 A. Walked the picket line like everybody
19 else.

20 Q. So then we don't have to ask you where
21 you dumped waste during that period. That is

1 fine.

2 A. No, you don't.

3 MR. BLEICHER: Thank you very much.
4 That is all the questions I have.

5 EXAMINATION BY MS. LARSON:

6 Q. Hello, Mr. Jendras, I am Nancy Larson,
7 I am an attorney for Container Corporation of
8 America, who we haven't heard too much about yet
9 today.

10 You familiar with Container Corporation
11 of Baltimore?

12 A. Yes, I am.

13 Q. How are you familiar with Container
14 Corporation?

15 A. Pass it every day going home.

16 Q. Is Container Corporation a Robb Tyler
17 customer, or was it a Robb Tyler customer?

18 A. It was at one time, I seem to remember;
19 yes, it was.

20 Q. Do you have any recollection as to what
21 time period that was?

1 A. No, I sure don't, no.

2 Q. Was Container Corporation ever Sauer's
3 customer, to your knowledge?

4 A. I am quite sure it was, yes.

5 Q. And on what do you base that knowledge?

6 A. Well, I seem to remember their trucks
7 hauling the cardboard out of there.

8 Q. You would see Sauer trucks --

9 A. Yes.

10 Q. -- hauling cardboard from Container
11 Corporation?

12 A. Container Corporation.

13 Q. Do you know what type of container you
14 saw?

15 A. It wasn't a container, it was a box
16 truck, and they loaded it in the box truck. That
17 is what I seen, now. If they had a container
18 there, I didn't see the container. All I seen was
19 the truck, the other truck that hauls it. If
20 there was a container --

21 Q. A box truck? Are you talking about a

1 type of truck, excuse my ignorance if I am
2 incorrect, a type of truck that would pick up a
3 dumpster --

4 A. No, just a box truck with a bed on the
5 back of it but closed in with a roof and sides,
6 where they loaded the material right inside.

7 Q. Is that a type of truck that could
8 contain more than one customer's waste?

9 A. No. Well, it could, but normally it
10 wouldn't. It doesn't hold that much to start
11 with.

12 Q. And approximately what size of a truck
13 would that be, do you know?

14 A. Well, I guess it had maybe a 14-foot
15 body on it.

16 Q. Is that five yards, ten yards, do you
17 have any idea?

18 A. Probably a little bit more than that,
19 but chances are if he went over there for a load,
20 he would load the truck up. He wouldn't be ready
21 for anybody else's trash.

1 Q. But this is a different type of truck
2 than your previous descriptions of the green
3 Sauer's containers?

4 A. Yes.

5 Q. This is a different truck?

6 A. Yes. Now they had containers, but I
7 never seen one over there. If they had one, it
8 was out of sight and I never seen it.

9 Q. Do you have any idea of how often
10 Sauer's would pick up from Container Corporation?

11 A. No, I do not.

12 Q. Do you know what driver would pick up?

13 A. I guess mostly it was Cefaloni. Or
14 John Miller.

15 Q. Are you speculating, Mr. Jendras, or do
16 you know?

17 A. I am speculating, I am saying I don't
18 know how often, but I would assume more Cefaloni,
19 because he drove more than the other boy.

20 Q. And did you yourself ever pick up any
21 waste from Container Corporation?

1 A. Myself?

2 Q. Yes.

3 A. No.

4 Q. And do you know of any particular Robb
5 Tyler customers or, excuse me, Robb Tyler drivers
6 that would have ever picked up from Container
7 Corporation?

8 A. I don't know of them, no.

9 Q. Did you ever see, yourself, any of the
10 actual waste from Container Corporation that you
11 knew to have been from Container Corporation?

12 A. Well, the truck coming out of the yard
13 with their, a product on it; I assumed that it was
14 theirs, you know.

15 Q. But you didn't see the actual product
16 in the truck?

17 A. Yes, you could see the product in the
18 truck. It was just cardboard, that is all. That
19 is all you could see.

20 Q. And do you ever recall seeing that
21 particular waste that you describe as being from

1 Container Corporation at the dump, at the Sauer
2 dump itself?

3 A. No.

4 Q. So could you say whether you saw that
5 particular waste on the north side or on the south
6 side or any particular place at the Sauer dump?

7 A. I don't remember seeing it on the dump
8 at all.

9 Q. All right.

10 MS. LARSON: That is all I have. Thank
11 you.

12 EXAMINATION BY MR. BRUGGE:

13 Q. Mr. Jendras, my name is Parker Brugge
14 and I represent Canton Company of Baltimore.

15 You have testified that the only period
16 of time that you ever dumped at Sauer's dump was
17 during the this three-month period in 1969.

18 A. Right.

19 Q. First of all, do you remember if it was
20 cold during this time?

21 A. I really don't, no, I really don't.

1 Q. Okay. Do you --

2 A. I know it was muddy, but that doesn't
3 indicate summer or winter; but no, I don't really
4 remember.

5 Q. Do you recall testifying earlier that
6 you occasionally stopped by to visit with the
7 Sauers prior to this time?

8 A. Yes.

9 Q. You testified that this was sometime in
10 the '60s. Can you be any more specific than
11 sometime in the 1960s?

12 A. No, again, you mean just stopping by
13 other than to dump?

14 Q. As to the date that you stopped by.

15 A. No, I sure can't.

16 Q. Do you have any personal knowledge as
17 to the ownership of Sauer's landfill during the
18 1960s?

19 A. The owner or the operator?

20 Q. The ownership.

21 A. No, I know it wasn't owned by Sauer.

1 It was owned by a real estate company, but I am
2 not sure who.

3 MR. BRUGGE: I have no further
4 questions, thank you.

5 EXAMINATION BY MR. STEWART:

6 Q. I am James Stewart, I represent
7 Beatrice Companies.

8 You testified earlier that within a few
9 years after 1969 the Sauers' dump closed; is that
10 correct?

11 A. Yes.

12 Q. That would be in the early '70s?

13 A. Yes.

14 Q. And that the Sauers' dump closed before
15 Lombard Street was constructed in the area of
16 Sauer's dump, correct?

17 A. True, true.

18 Q. Did you observe the area that was
19 Sauer's dump after it had closed?

20 A. In what respect?

21 Q. Did you see what it looked like?

1 A. After it closed?

2 MR. RYAN: Now or --

3 Q. After it had closed. At the time in
4 the '70s when the Sauers' dump closed?

5 A. Well, I had seen the thing every day,
6 you know, at one time or another, either going by
7 it, going home from work, I passed the thing a
8 dozen times a day, so yes, I seen it, but --

9 Q. Okay, you talked about how at Rosedale
10 there was a practice of putting cover on the waste
11 all the time; is that correct?

12 A. True, true.

13 Q. Was there a similar practice at Sauers'
14 dump?

15 A. Yes, there was.

16 Q. So when that was closed, did Sauer
17 leave any drums on the surface of the landfill
18 that you ever observed?

19 A. Not that I observed.

20 Q. And that was from any time you observed
21 it when it closed in the '70s on; is that correct?

1 A. Right. No, I had never seen anything.

2 Q. In the REM 2 report from which that
3 photo that is Exhibit 3 came from, there is a
4 statement that in November, 1980, inspectors from
5 the Maryland Department of Health and Mental
6 Hygiene discovered approximately 500 drums on the
7 property, referring to the Kane and Lombard site.

8 During the time you went past there or
9 made observations of the Sauers' dump from the
10 time it closed in the early 1970s onward, did you
11 ever observe any cache of drums at all on the
12 surface of the property?

13 A. No, sir; no, sir.

14 Q. So from your observation, would you say
15 that 500 drums discovered in November, 1980 were
16 placed there after the Sauers' dump had ceased its
17 operation?

18 A. I would certainly have to believe so.
19 Someone would have seen them before that point.

20 Q. Thank you.

21 A. 500 drums you don't hide behind a

1 tree.

2 Q. And in any of your observations, did
3 you notice that the Sauers had ever left any
4 significant number of drums or any drums at all?

5 A. No, I never seen any at all. Now, I am
6 not saying there wasn't any there. I didn't see
7 any.

8 MR. STEWART: That is all I have.

9 MS. CASANO: All the third parties have
10 finished?

11 EXAMINATION BY MS. CASANO:

12 Q. Following up with the questions that
13 you were just asked, Mr. Jendras, when you would
14 drive past the site of the Sauer Landfill, could
15 you, this is back in the, after the landfill
16 closed in the early '70s up until the early '80s,
17 could you see all of the landfill from the street?

18 A. I am not sure about all of it, but you
19 could see probably 90 percent of it.

20 Q. Did you ever see anyone dumping at the
21 landfill after Sauer ceased to do business there?

1 A. I had never seen it, no.

2 Q. Did you ever hear anything about anyone
3 dumping on that property after Sauer ceased to do
4 business?

5 A. No, I didn't.

6 Q. I am going to ask a question about a
7 topic that was not covered previously because I
8 forgot about it.

9 Do you know what a transformer is, Mr.
10 Jendras?

11 A. Electrical transformer?

12 Q. Yes.

13 A. Yes.

14 Q. Did you ever see any transformers at
15 the Sauer Landfill?

16 A. No, I did not.

17 Q. Did you ever see Mr. Cefaloni with any
18 transformers at the Sauer Landfill?

19 A. I had not seen him, no.

20 Q. When did you last speak with Earl
21 Boswell, do you recall?

1 A. Earl Boswell, about 19, winter of about
2 1980 because he was going hunting when I talked to
3 him. That was the last time I seen him.

4 Q. How about Mr. Cefaloni?

5 A. Cefaloni, maybe three years ago, four
6 years ago. Just briefly.

7 MR. ABRAMS: Counsel, may I ask, is
8 Earl Boswell the same as Benjamin Boswell?

9 THE WITNESS: Right.

10 MS. CASANO: Yes.

11 MR. ABRAMS: Thank you.

12 Q. Jumping back to transformers for just a
13 minute, Mr. Jendras, did you ever see Mr. Cefaloni
14 breaking open anything that looked like a
15 transformer at Sauers' dump?

16 A. No, I did not.

17 Q. When was the last time that you spoke
18 with Robb Tyler?

19 A. Robb Tyler? Must be ten years ago.

20 Q. Do you know how old Mr. Robb Tyler is?

21 A. He is in his late seventies or middle

1 eighties, somewhere close. I guess he is 80.

2 Q. I believe that you testified earlier
3 today that Sauer's landfill was a busy place
4 during the time that Robb Tyler's drivers were
5 dumping there?

6 A. True.

7 Q. Did you ever observe any instances when
8 trucks were lined up waiting to dump at Sauer's
9 landfill during that time?

10 A. Yes, seems to me I can remember lines.
11 Not out on the street but on the property, you
12 know, three or four trucks or five trucks, yes, I
13 can remember that.

14 Q. Did you ever observe any times when
15 trucks would sort of, trucks would go to different
16 points on the dump at the same time to dump their
17 loads?

18 MR. RYAN: Away from the bulldozers,
19 you mean?

20 Q. Well, either by the bulldozer or near
21 the bulldozer, but just trucks dumping at

1 different places at the same time?

2 A. Different areas at the same time?

3 Q. Right.

4 A. I can't say for sure that I remember
5 anything, but I don't think it would be uncommon.

6 Q. Is it fair to say that since at least
7 some drivers' salaries depended upon how many
8 loads they took, that they would be reluctant to
9 wait in a line any longer than necessary?

10 A. No, no. They didn't have any sympathy
11 on the driver. It has not changed. It is the
12 same way today.

13 Q. Did you ever see Mr. Cefaloni hauling
14 any liquids at all into Sauer's landfill?

15 A. I never seen him hauling liquids, but I
16 seen him hauling containers that could have
17 contained liquids, but I don't know that he did
18 because he hauled trash in the same kind of
19 container, so he could have had either one in
20 there and no one would have knew that.

21 Q. Is it correct, then, to say that you

1 never saw Mr. Cefaloni dumping liquids at Sauer's
2 landfill?

3 A. I never seen it, no.

4 Q. In your view, is the Western Electric
5 plant on Broening Highway on the east side of
6 Baltimore?

7 A. Yes.

8 Q. And the General Motors Chevrolet plant,
9 is that on the east side of Baltimore?

10 A. Right next door.

11 Q. And Baltimore Gas & Electric's
12 Riverside plant, is that on the east side of
13 Baltimore?

14 A. Yes.

15 Q. You stated previously, Mr. Jendras,
16 that you saw Parker's trucks with fly ash at the
17 Sauer Landfill but you did not see them dump the
18 fly ash at Sauer's landfill?

19 A. That is true.

20 Q. Do you have any reason to believe that
21 Parker's drivers would have taken that fly ash

1 somewhere else?

2 A. No.

3 Q. Maybe half an hour or so ago in
4 response to questioning by Mr. Bleicher, I believe
5 that you said that Mr., you always, Mr. Smith was
6 always on the north side of the landfill.

7 A. I said Mr. who?

8 Q. Mr. Smith, Edgar Smith, was always on
9 the north side of the landfill?

10 A. I didn't say that he was always over
11 there. I always observed him being over there,
12 but I don't know that he was always there.

13 Q. And again, you are talking about the
14 north part from the center of the landfill?

15 A. From the center of the landfill.

16 Q. Does that change your earlier testimony
17 that Mr. Smith did not tell you where to dump?

18 A. No. No.

19 Q. Does that change your earlier testimony
20 that you did not dump by where Mr. Smith was all
21 the time?

1 A. No.

2 Q. Okay. You testified, Mr. Jendras, that
3 you remember that the landfill, the Sauer
4 landfill, was muddy during the time that the Tyler
5 drivers were using the landfill. Do you remember
6 snow on the ground during that period?

7 A. No, I sure don't.

8 Q. Is there anything that might refresh
9 your recollection as to what, when that period of
10 time occurred?

11 A. No, I just can't think of when it was.
12 I really can't.

13 MS. CASANO: I am going to turn things
14 over to Ms. Marks if she has follow-up.

15 EXAMINATION BY MS. MARKS:

16 Q. Okay, yes, I do have a few questions.

17 Mr. Jendras, you mentioned a few
18 companies that were competitors of Robb Tyler's
19 haulers. Regarding Herb Robertson Company, did
20 you ever see their trucks on Sauers' dump?

21 A. I don't recall whether I seen it on

1 Sauers' dump or not. I have seen their trucks on
2 lots of occasions on our landfill, but I am not
3 sure that, it seems to me that I did, but I
4 couldn't say that a hundred percent.

5 Q. Would that have been during the
6 three-month period we have referred to or at some
7 other time?

8 A. Yes, because that is the only time I
9 would have been there, yes.

10 Q. So you think you saw Herb Robertson
11 trucks?

12 A. I thought I did, but I couldn't say a
13 hundred percent.

14 Q. What about Modern Trash trucks?

15 A. Yes.

16 Q. You did see those at Sauers' dump?

17 A. Yes.

18 Q. Was that during the three-month period?

19 A. During the three-month period.

20 Q. Were there other times as well, driving
21 by, that you might have seen them?

1 A. I never noticed it, no, but they could
2 have been.

3 Q. And I believe you testified earlier
4 that you had seen Bohager Trash trucks at Sauers'
5 dump during that three-month period?

6 A. Yes, true, very true.

7 Q. Mr. Jendras, you testified earlier that
8 Mr. Cefaloni would at times handle work for Robb
9 Tyler Company; is that right?

10 A. That is true.

11 Q. Are you aware of any other Sauer
12 drivers that handled Robb Tyler hauling?

13 A. I am not aware of it, no, because
14 Cefaloni did probably the biggest part of the
15 driving, and I would think that he would have done
16 most of the extra stops. It may have, they may
17 have had more, but I didn't know about it.

18 Q. So you don't know if any of the Sauers,
19 Luke Sauer, ever did any driving for Robb Tyler?

20 A. No.

21 Q. Regarding the PORI waste, you mentioned

1 that you saw the after-effects of PORI's waste in
2 Cefaloni's truck; is that right?

3 A. Yes.

4 Q. What did you mean by that?

5 A. It was a sticky-type material that
6 usually stuck to the back of his truck.

7 Q. Would you actually see that?

8 A. Oh, yes. It normally happened after he
9 dumped the load, some of it would either hang to
10 the side of, his chains on the side of his truck
11 or to the back of his truck. If he had Pori oil
12 on the truck and it was not running properly, he
13 couldn't hide it. It was there.

14 Q. And when might you have had the
15 occasion to see this?

16 A. Oh, I can't remember when, but I had
17 seen the truck, you know.

18 Q. Was that on more than one time?

19 A. Very possibly more than once. Because
20 it has happened to me when I hauled it, so I know
21 that it still happens. It is not an everyday

1 thing, but it does happen.

2 Q. And I was wondering if you could
3 clarify something else for me.

4 You were describing which landfill the
5 waste would be taken to from various parts of town
6 earlier today, and we were essentially going
7 around the beltway, and you were asked about
8 Liberty Road and whether waste near Liberty Road
9 would go to Reedbird Landfill; do you recall
10 that?

11 A. True.

12 Q. And then you were asked about
13 Reisterstown Road and asked whether that would go
14 to, which landfill that waste would go to. I
15 believe you mentioned something about, that it
16 would go to Patapsco or Quarantine because at that
17 point you are moving closer to the landfill?

18 A. That is true.

19 Q. Aren't those landfills south of the
20 city?

21 A. Well, if you are on the beltway, you

1 are going right around in a circle, so the farther
2 around the circle you go, the closer you are
3 getting to Hanover Street or Potee Street or
4 Patapsco Avenue, whichever you want to identify
5 it, the closer you get to it. The further around
6 you go, the closer you get. So if you turn and go
7 the other way, you are going another time and a
8 half farther than you need to.

9 Q. But the way we were marching around the
10 beltway, going from the intersection of 95 and the
11 beltway and then up towards Liberty and then
12 further north towards Reisterstown, weren't we
13 getting further away from south Baltimore and
14 further away from the landfills?

15 A. You are getting closer to south
16 Baltimore. You are getting farther away from the
17 east side of town, from Rosedale, but you are
18 actually getting closer to the other side of town,
19 because you are going right around in a circle.
20 There is no particular reason that it has to go to
21 that landfill other than it would be quicker for

1 the driver.

2 Q. Okay. What is your understanding of
3 the approximate direction you are going around the
4 beltway when you go from the intersection of 95
5 and then to Liberty and then to Reisterstown? Are
6 you going in a northerly direction or southerly
7 direction?

8 A. It all depends how you want to identify
9 it, you know, at one point you are going north and
10 then you are going west and you are going right
11 around in a circle, any way you look at it. If
12 you look at your map, the beltway just makes a
13 complete circle around the city.

14 Q. Okay. Let me ask this question one
15 more time. If you are heading from the
16 intersection of 95 and the beltway --

17 A. 95 and the beltway.

18 Q. 95 and 695 --

19 A. At what point?

20 MR. BRAGER: Let me interrupt you for a
21 minute. There are two intersections of 95 and the

1 beltway. That may be part of the problem.

2 MS. MARKS: That is true.

3 MR. BRAGER: One at the north and one
4 at the south. One on the north end of the beltway
5 and one at the south end.

6 THE WITNESS: We lost the east and the
7 west here.

8 MS. MARKS: We need a map.

9 Q. Okay, but from Liberty Road and the
10 beltway, and then if you are going from Liberty
11 Road and the beltway to Reisterstown Road and the
12 beltway, are you going in a clockwise direction or
13 a counterclockwise direction?

14 A. You are going in a clockwise
15 direction. If you go from Reisterstown Road to
16 Liberty Road, you are going counterclockwise.

17 Q. Okay, and your testimony is that if you
18 are going from Liberty Road and the beltway in a
19 clockwise direction to Reisterstown Road and the
20 beltway, you are moving closer to the southwest
21 Baltimore landfills?

1 A. No. No. No, that is not what I said.
2 That is not what I meant.

3 Q. That is what I wanted to clarify.

4 A. Just in reverse. If you reverse it.
5 You going from Reisterstown Road to Liberty Road,
6 you are going closer to the landfill.

7 Q. I see. So if you are going from
8 Liberty Road to Reisterstown Road, you are getting
9 further away from the southwest Baltimore
10 landfills?

11 A. Exactly, exactly.

12 Q. Thank you.

13 Is Reedbird Landfill the same thing as
14 Quarantine Landfill?

15 A. No. Quarantine is just about at the
16 foot of the Key Bridge. Quarantine and 695.

17 Q. Let me clarify one more point. You
18 were just asked about the strike, the first strike
19 again, and you were asked whether it was in 1969,
20 January of 1969. Does that sound right to you, is
21 that when that first strike was?

1 A. I believe it was. I am not a hundred
2 percent sure, but I believe it was.

3 Q. Once again, were the landfill
4 operations closed during that strike?

5 A. No.

6 Q. So the landfill operators did not
7 strike?

8 A. No.

9 MS. MARKS: Thank you.

10 EXAMINATION BY MR. GUTTER:

11 Q. Mr. Jendras, did you know Fred Sauer,
12 Sr.?

13 A. Fred Sauer, Sr.?

14 Q. Fritz's father.

15 A. Vaguely. I didn't know him that well.
16 I had seen the gentleman a time or two, but I
17 didn't know him well.

18 Q. Do you know when Fred Sauer, Jr.
19 started the dumping operations at the landfill we
20 have been talking about today?

21 A. No, sir, I really don't.

1 Q. Do you know if it was prior to 1962?

2 A. I would have to guess around that year,
3 somewhere close.

4 Q. You mentioned the Texas Landfill
5 earlier, was that a Robb Tyler landfill?

6 A. Oh, no, it was a Baltimore County
7 landfill.

8 Q. In the early 1970s, did that charge a
9 fee?

10 A. Oh, yes.

11 Q. If Sauer took a load there, he would
12 have been charged a fee?

13 A. Yes, he would.

14 Q. Were there any fees for Sauer to dump
15 at his own dump?

16 A. Well, I don't know how he worked it but
17 no, there wouldn't be anybody to answer to but
18 himself.

19 Q. You also said in response to some
20 questions from Mr. Bleicher that in picking the
21 right landfill, it made sense to wind up where you

1 started; is that right?

2 A. Wind up where you started or where you
3 were going to work, you know, in that area.

4 Q. And that could influence your choice of
5 landfill?

6 A. Definitely.

7 Q. Do you know where Michael Cefaloni
8 lived?

9 A. The landfill.

10 Q. At Sauer's landfill?

11 A. Yes. At that time he did. Right there
12 in a house right there on the landfill, yes.

13 MR. GUTTER: No other questions,
14 thanks.

15 EXAMINATION BY MR. GRUMMER:

16 Q. Mr. Jendras, earlier today, both Mr.
17 Abrams and myself asked you some questions about
18 the containers you saw at Standard Oil's property
19 and the colors of various containers. Do you
20 recall those questions?

21 A. Yes.

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1 Q. I believe you testified that at one
2 time Robb Tyler's containers were green and at a
3 later time they became blue?

4 A. That is right.

5 Q. Do you remember approximately when that
6 change occurred?

7 A. Not exactly, no.

8 Q. At the time that you saw the containers
9 on the Sauer, or on the Standard Oil property,
10 what color do you think the Robb Tyler containers
11 were at that time?

12 A. I would have thought blue, but they
13 could very well have been green. Although you
14 could have identified a Robb Tyler container
15 because it would have had a big decal right on the
16 side of it.

17 Q. Is that the manner in which Robb
18 Tyler's containers were marked?

19 A. They were, the Robb Tyler logo was
20 right on the side of every container they had.

21 Q. Was that true when they were green?

1 A. Yes.

2 Q. Was that also true when they were blue?

3 A. When they were blue they still had the
4 logo on, but a different logo.

5 Q. Was that easily visible?

6 A. Yes.

7 Q. Earlier today when you described seeing
8 the green containers on the Standard Oil property,
9 did those containers have a Robb Tyler logo on
10 them?

11 A. No, they didn't.

12 MR. ABRAMS: Object to the form of the
13 question unless you get specific and ask him what
14 direction these containers were facing and where
15 the logos traditionally were placed. In other
16 words, it is vague and indefinite.

17 Q. Did you see any Robb Tyler markings on
18 the containers that you were referring to earlier
19 today?

20 A. No, I did not.

21 Q. Do you think you would have seen any

1 Robb Tyler markings on them if those were Robb
2 Tyler containers?

3 A. There would be --

4 MR. ABRAMS: Object to the form of the
5 question, vague and indefinite, calls for
6 speculation.

7 A. They would have been visible.

8 Q. You say they would have been visible?

9 A. Yes.

10 Q. Why do you say that?

11 A. Well, they were a foot and a half
12 square, white in color with green trim, it would
13 be bound to be outstanding.

14 Q. Do you know, is it possible that there
15 was a Robb Tyler logo on the other side of
16 containers that you looked at?

17 MR. ABRAMS: Objection, calls for
18 speculation.

19 A. Not likely to be on one side. It would
20 either be on the front or on both sides. If it
21 was that case of being on the sides, it would be

1 on both sides.

2 Q. Is there any doubt in your mind as to
3 whose containers those were?

4 MR. ABRAMS: Object to the form of the
5 question.

6 A. There could be a doubt in my mind as to
7 whose they were. There is no doubt in my mind
8 that they weren't ours, and the only one I know of
9 having those types of containers is Sauer's.

10 Q. There is one company that I don't think
11 anyone has asked you any questions about. That is
12 Armco. Did you ever go, do you know of an Armco
13 facility near the Sauer dump?

14 A. Yes, I do.

15 Q. Where is that located?

16 A. Located at Edison Highway and Biddle
17 Street.

18 Q. Can you tell me how far that is from
19 Sauers' dump?

20 A. Possibly four miles. Four and a half
21 miles.

1 Q. Would you consider that facility to be
2 on the east side of town?

3 A. Yes.

4 Q. Did you ever go there?

5 A. Yes.

6 Q. Did you ever haul wastes from that
7 Armco facility?

8 A. Yes, I did.

9 Q. Can you tell me approximately what time
10 period?

11 A. What time period, no, I don't remember
12 that. I sure don't.

13 Q. Do you know if it was before or after
14 1969?

15 A. I thought before. I would think before
16 '69.

17 Q. Did you go there regularly?

18 A. No. It was a call-in stop.

19 Q. Can you tell me what you picked up when
20 you went there.

21 A. It was an eight-yard container and, for

1 the most part, it had just the average run-of-the-
2 mill trash, broken pieces of wood, cardboard,
3 cardboard boxes, cardboard drums, that sort of
4 thing.

5 Q. Where did you take those wastes to dump
6 from Armco?

7 A. Rosedale.

8 Q. Do you recall hauling from Armco during
9 the three-month period in 1969?

10 A. No, sir.

11 Q. Do you know if Michael Cefaloni ever
12 hauled from Armco?

13 MR. LINGAN: Object, calls for
14 speculation.

15 A. To my knowledge, no.

16 Q. Was that Armco facility closer to the
17 Sauer dump or to the Rosedale dump?

18 A. Rosedale.

19 Q. Also, earlier today various people have
20 asked you questions about where on the Sauer
21 Landfill dumping took place, and I asked you some

1 questions about that earlier. As I recall, you
2 testified that the dumping took place not in any
3 particular area, sometimes on the north, sometimes
4 on the south, sometimes both bulldozers on the
5 same side, but the dumping was not necessarily
6 more likely to be on the south than on the north.

7 Do you have a different view now?

8 A. No.

9 MR. GRUMMER: Could you read back the
10 question that I, could I ask the reporter to read
11 back the question and answer that were marked
12 earlier.

13 (The record was read by the reporter as
14 follows:

15 "Question: All right, so if he had
16 instructions to stay on the northern part of the
17 property, for example, you wouldn't know about it.

18 "ANSWER: I wouldn't know about it other
19 than he would be on the northern part, you know.

20 "QUESTION: And when you were there,
21 that is where you saw him."

1 "ANSWER: Yes, right, right.

2 MR. GRUMMER: Could you once again read
3 just from the part that mentioned north down to
4 the end, because now it is not fresh in my mind.

5 (The record was read by the reporter.)

6 Q. In the portion of transcript that has
7 just been reread to you, were you suggesting that
8 Edgar Smith was always on the north side of the
9 property?

10 A. No. I didn't suggest that. Somebody
11 else did.

12 Q. All right, when someone else suggested
13 that, did you agree with that suggestion or --

14 A. No.

15 Q. Do you agree with it now?

16 A. No. How would I know that he was
17 instructed to be over there? I wasn't there when
18 he was given instructions, you know. I didn't
19 even know that I seen him there all the time. I
20 seen him on both sides.

21 Q. So when you gave that answer, you were

1 not suggesting that you always saw him on the
2 north side?

3 A. Exactly. I was not.

4 Q. Someone earlier asked you a question
5 whether Edgar Smith would know better than you
6 where Edgar Smith was operating; do you recall
7 that question?

8 A. Yes, I do.

9 Q. Would Edgar Smith know better than you
10 where you were dumping?

11 MR. RYAN: I object to that. I mean,
12 it is a silly question. I am sorry. It is the
13 best objection I can come up with. Do you really
14 want him to answer the question?

15 A. I will say the same thing. I will if
16 you want me to. I don't think I would have even
17 asked him, but go ahead. Try again.

18 MR. GRUMMER: Okay. I withdraw that
19 question.

20 MS. CASANO: I think we shamed him into
21 withdrawing it.

1 MR. GRUMMER: I don't have any other
2 questions. On that note I am done.

3 EXAMINATION BY MR. BYRD:

4 Q. Mr. Jendras --

5 A. You didn't pick up those notes, did
6 you?

7 Q. No, no, completely different
8 questions.

9 I got a couple of what I call audio
10 questions, that is, what I couldn't hear down
11 there at the other end. I just want to clarify a
12 couple.

13 Mr. Bleicher was asking you a couple
14 questions about Allied and you said you had picked
15 up from Allied on a couple of occasions, had gone
16 to Rosedale?

17 A. Yes.

18 Q. And I couldn't hear what you said the
19 wastes were that you took there.

20 A. I don't know what it is truthfully. I
21 can only attempt to explain what it looked like.

1 It looked like a shiny-looking sandy material that
2 had been wet and stuck together.

3 Q. Okay. Did it have a particular odor or
4 smell?

5 A. It had an odor but I couldn't identify
6 the odor. It did definitely have an odor.

7 Q. It was an odor you hadn't smelled
8 before or --

9 A. It was not a very pleasant odor. It
10 would get to you, it really would.

11 Q. When you say get to you, what do you
12 mean by that?

13 A. I don't know as it would hurt you, but
14 you could really detect it. I mean it really got
15 into your nostrils.

16 Q. Would it irritate or inflame your
17 nostrils?

18 A. I don't think it would do that. Or it
19 didn't appear to.

20 Q. You also said that you wore a face mask
21 when you went in there?

1 A. They gave you one.

2 Q. What did it look like?

3 A. Just a little cloth-type, like a doctor
4 wears, you know, I don't know what you call them,
5 but they are just a face mask that you put over
6 your face and kind of filter the air as you
7 breathe it in.

8 Q. Did anybody tell you why you should
9 wear that?

10 A. No. It appears to me that they give it
11 to everybody that comes in there, a pair of
12 glasses and a face mask.

13 Q. Could you detect anything in the
14 atmosphere that would require you to wear that?

15 A. Other than the odor down there by the
16 container, no, no.

17 Q. Going back to the City incinerator ash,
18 I believe you testified earlier that the City
19 incinerator ash, after Rosedale closed, some of
20 that ash still went to Rosedale?

21 A. Yes.

1 Q. Do you know, were you a witness to
2 that?

3 A. Oh, well, I seen the trucks going in
4 and out, you know, so they were dumping there, I
5 guess, just to bring over more cover, you know, to
6 cover the landfill over.

7 Q. To cover the waste that was still
8 exposed?

9 A. Right. I mean, they were getting rid
10 of it, to get rid of it, but we were taking it to
11 use it as a cover for the open landfill.

12 Q. Right. Do you know how many more days
13 that continued after Rosedale closed?

14 A. No, I really don't. It seemed to me
15 like it was several weeks, but I can't remember
16 how long.

17 Q. Was Quarantine Landfill open back in
18 the '60s?

19 A. Yes.

20 Q. How far would Quarantine have been from
21 the BG&E Riverside plant?

1 A. Hop skip -- I guess probably five miles
2 over the bridge and the first intersection off the
3 bridge would be Quarantine Road. Probably five
4 miles.

5 Q. Is that the, would that have been the
6 closest landfill to Riverside?

7 A. Yes.

8 Q. I just want to clarify one thing with
9 regard to Parker. You stated that you saw
10 Parker's trucks at Rosedale; is that correct?

11 A. Yes.

12 Q. But you did not see Parker's trucks at
13 Sauer; is that correct?

14 A. I seen Parker's trucks at Sauer. I did
15 not see Parker dump at Sauer's.

16 Q. Do you know on how many occasions you
17 may have seen Parker's trucks at Sauer's?

18 A. I couldn't put a number on it, but
19 frequently.

20 Q. Do you know what Parker may have been
21 hauling at that time?

1 A. Fly ash was the only thing I would have
2 said it would have been.

3 Q. Is it possible he could have been
4 hauling anything else?

5 A. He could have been.

6 MR. BYRD: I don't have any other
7 questions.

8 EXAMINATION BY MR. LINGAN:

9 Q. Mr. Jendras, my name is Tom Lingan
10 representing Armco Steel, and I apologize, I was
11 ready to go home until about ten minutes ago.

12 A. Did I mess it up?

13 Q. No, no, you didn't mess it up. I just
14 have a few very minor questions.

15 You said there was an eight-yard
16 container at the Armco Steel facility?

17 A. Yes.

18 Q. Where approximately was that located on
19 the plant?

20 A. If you went in the front gate -- are
21 you familiar with the plant?

1 Q. Yes, sir.

2 A. All right, go on in the plant gate and
3 make a left-hand turn at the first intersection
4 and you go behind that first big building on your
5 left-hand side -- it may have changed now, but I
6 am talking about back then -- went right along the
7 outer edge of the buildings, and all the way in
8 the back, up the top of the hill, there was an
9 eight-yard container setting right there.

10 Q. And an eight-yard container is a
11 relatively small one by comparison?

12 A. Yes, it is a tilt-type container which
13 is not very large as far as yards is concerned.

14 Q. Now, I understand that it was your job
15 to handle mostly the smaller containers?

16 A. That is true.

17 Q. And you mentioned also that Armco was a
18 call-in customer. Can you explain what you meant
19 by that.

20 A. Well, I think that portion of it, now,
21 I know we had other containers around the yard and

1 I don't know what kind of service they had, but
2 this particular one was on a call-in basis; in
3 other words, when it was filled and ready to be
4 hauled, they would call it in.

5 Q. So you had customers that you operated
6 on a weekly basis?

7 A. Some on a daily basis, you picked up
8 every day, but this was a call-in basis.

9 Q. Do you know how frequently the call-in
10 was, do you have any idea?

11 A. Maybe once a week, not too much
12 frequently, I know that.

13 MR. LINGAN: Thank you. That is all I
14 have.

15 EXAMINATION BY MR. ABRAMS:

16 Q. Mr. Jendras, as far as you know, Exxon
17 owned those two eight-yard containers that you saw
18 on Exxon -- I am sorry, I meant Standard Oil's
19 property?

20 MR. GRUMMER: Objection. I don't think
21 he testified to that.

1 A. I don't know. I never said that. I
2 assumed they belonged to Sauer's, I don't know
3 about Exxon.

4 Q. Do you know for a fact whether or not
5 Standard Oil owned the two containers on the
6 Standard Oil property that you identified?

7 A. No.

8 Q. As far as you know, Standard Oil may
9 have owned those containers; is that correct?

10 A. Possibility.

11 MR. GRUMMER: Mischaracterizes his
12 testimony.

13 MR. ABRAMS: Just object, don't
14 interrupt me, please.

15 Q. I didn't hear your answer.

16 A. There is a possibility. I don't know,
17 I don't know.

18 Q. As far as you know, Standard Oil may
19 have leased those two eight-yard containers from a
20 source other than Sauer; is that correct?

21 MR. GRUMMER: Objection.

1 A. Again, a possibility.

2 Q. As far as you know, is that correct?

3 A. I don't know. Either way.

4 Q. Did Robb Tyler, Inc. have eight-yard
5 containers?

6 A. Yes, they did.

7 Q. Did you typically work on the west side
8 of town?

9 A. No.

10 Q. When you described decals on Robb Tyler
11 containers, you said they were placed either on
12 the front or the side. Were they typically placed
13 on the front and the side, or was it one or the
14 other?

15 A. Normally one or the other.

16 Q. When you passed the Standard Oil
17 facility and saw these two eight-yard dumpsters,
18 were you looking at the front of the dumpsters or
19 the side of the dumpsters?

20 A. Probably both, because if I were coming
21 from that direction, which I made a round trip, if

1 I were coming from that direction, I seen them
2 from the back and the side, and if I come from
3 this direction, I seen them from the front and the
4 side.

5 Q. And the only time you looked at them
6 was when you were driving by the Standard Oil
7 facility; is that correct?

8 A. Right.

9 Q. Approximately how fast were you going
10 when you drove by that facility?

11 A. Fifteen, 20 mile an hour. You don't go
12 very fast through there.

13 Q. Would you typically look over at those
14 dumpsters?

15 A. I glanced over. I didn't glance over
16 to see who they belonged to because I knew they
17 weren't mine, but no, I have no idea -- I assumed
18 they were his because they were his color and he
19 was the only one that had another type truck that
20 would haul it.

21 Q. You cannot sit here today and testify

1 under oath that you know who owned those two --

2 A. No.

3 Q. -- two dumpsters; is that correct?

4 A. Correct.

5 MR. ABRAMS: Thank you, sir.

6 EXAMINATION BY MR. BLEICHER:

7 Q. I am Sam Bleicher representing
8 Allied-Signal.

9 Do you remember what year, even, was
10 the first time that you went to the Allied plant?

11 A. No, sir, I don't. I don't.

12 Q. Do you remember whether it was long
13 before Rosedale closed?

14 A. I know I dumped at Rosedale, but I
15 can't say how much before.

16 Q. And do you remember the last time you
17 went, the most recent time? That was also before
18 Rosedale closed?

19 A. Oh, yes, yes.

20 MR. BLEICHER: That is fine.

21 Q. And you said you went there, total, for

1 about seven times?

2 A. Possibly seven, six or seven.

3 Q. And those times were relatively close
4 together, a few weeks apart?

5 A. Yes, yes.

6 MR. BLEICHER: Thank you. That is
7 all.

8 MS. CASANO: Anybody else? I just have
9 one more.

10 EXAMINATION BY MS. CASANO:

11 Q. Mr. Jendras, did you ever see a Parker
12 truck containing fly ash leave the Sauer Landfill?

13 A. Say that again.

14 Q. Did you ever see a Parker truck that
15 contained fly ash leave the Sauer Landfill with
16 the fly ash in the truck?

17 A. No.

18 MS. CASANO: I think that is it.

19 THE REPORTER: Reading and signing?

20 MR. RYAN: I am going to send it to him
21 and he will read it and I will submit it.

1 THE REPORTER: Who does not want a
2 transcript?

3 MS. LARSON: Can I have your card and
4 let you know.

5 MR. MOSKOWITZ: Moskowitz doesn't need
6 one.

7 MR. BLEICHER: Can you give it to us on
8 disk?

9 (Discussion off the record.)

10 MR. MASUR: Why don't you take the
11 exhibits and copy them and attach them except
12 Exhibit No. 3. Just copy the cover page of No. 2
13 and send it with the transcripts.

14 (Examination concluded.)

15 -----

16

17

18

19

LAWRENCE WALTER JENDRAS

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21

I N D E X O F W I T N E S S E SWitnessPage

LAWRENCE WALTER JENDRAS

BY MS. CASANO

6

BY MS. CASANO

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I N D E X O F E X H I B I T S

Jendras

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June 6, 1990

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No. 12 Map

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Hum Holidays
Fester Chyuan
Nothing

2 SS:

3 I, Triminie Shelton, a Notary Public of the
4 State of Maryland, do hereby certify that the within
5 named, LAWRENCE WALTER JENDRAS, personally appeared before
6 me at the time and place herein set out, and after having
7 been duly sworn by me, was interrogated by counsel.

8 I further certify that the examination was
9 recorded stenographically by me and this transcript is
10 a true record of the proceedings.

11 I further certify that the stipulation contained
12 herein was entered into by counsel in my presence.

13 I further certify that on October 22, 1991 a carbon
14 copy and original signature page were sent to counsel; the
15 30-day reading and signing period having expired, and no
16 changes and corrections having been received, we are releasing
17 the original transcript without signature.

18 I further certify that I am not of counsel to
19 any of the parties, nor an employee of counsel, nor
20 related to any of the parties, nor in any way interested
21 in the outcome of this action.

SINCE '906

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As witness my hand and notarial seal this
26th day of December, 1991.

Premier M. D. L.
Notary Public

My Commission Expires on July 1, 1994.



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W. PRICE BANISTER
NANCY F. BANISTER

December 23, 1991

Randall Lutz, Esquire
Smith, Sommerville & Case
100 Light St., 6th Floor
Baltimore, MD 21202

RE: United States of America, et al vs. Edward Azrael, et al
Deposition (Volume II) of ALFRED TYLER, 2ND, taken on
December 9, 1991 by Triminie Shelton

Dear Mr. Lutz:

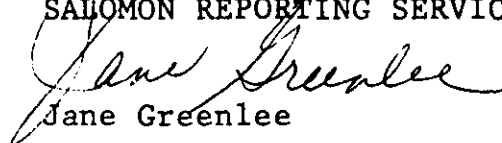
Enclosed is your carbon copy and the original signature page
of the above deposition taken in the above captioned case.

Please have the deponent read the entire deposition and sign
the original signature page. Should any changes or corrections
be necessary, they should be noted on the errata sheets enclosed.
Please also have the errata sheets signed.

When the deponent has read and signed the deposition, kindly
return to our office the signed signature page and signed
errata sheets.

The deponent has thirty days to read and sign. If the transcript
is not read and signed and returned to our office within the
thirty days, the transcript will be released without signature.

Sincerely,
SALOMON REPORTING SERVICE, INC.


Jane Greenlee

JG/hs
Enclosures

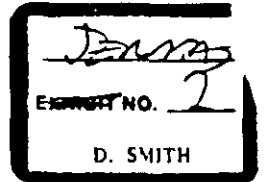
cc: Patricia Casano, Esquire
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John Gillan, Esquire
Mark Hausman, Esquire

Tom Lingan, Esquire
Lee Doane, Esquire
Samuel Bleicher, Esquire
Brian Land, Esquire
Kathryn Thomson, Esquire
Robert Brager, Esquire
Charles Schaller, Esquire

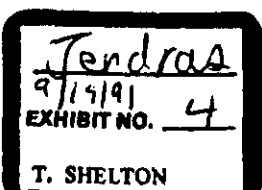
FAX # 410 539-8696

OFFICIAL START TIME

| ROUTE | START | TYPE | DRIVER |
|-------|--------|------|--------------|
| 7 | 7.5 | L.P. | |
| 71 | 7.5 | L.P. | |
| 8 | 7.5 | L.P. | ROSEMOND |
| 11 | 6.0 | L.P. | DUKES |
| 12 | 6.5 | L.P. | WILLIAMS |
| 13 | 6.5 | L.P. | DOGETT |
| 14 | 6.5 | L.P. | RAGSDALE |
| 15 | 6.5 | L.P. | E. WATTERS |
| 16 | 6.5 | L.P. | CONION |
| 17 | 6.5 | L.P. | MUHL |
| 20 | 6.5 | D.M. | H. BROOKS |
| 22 | 6.5 | D.M. | WELDON |
| 23 | 5.0 | D.M. | COX |
| 24 | 6.0 | D.M. | CHAMBERS |
| 25 | 6.5 | D.M. | J.T. WATTERS |
| 26 | 5.0 | D.M. | W. SAVAGE |
| 27 | 6.5 | D.M. | ELLIS |
| 28 | 5.5 | D.M. | JENIFER |
| 30 | ACTUAL | D | |
| 31 | 5.0 | D | S. FEATHER |
| 32 | 6.5 | D | WELLS |
| 33 | ACTUAL | D | ALLEN |
| 34 | 5.5 | D | D. HERSHMAN |
| 35 | 6.5 | D | JENDRAS |
| 36 | 5.5 | D | FEATHER |
| 37 | ACTUAL | D | BOSWELL |
| 38 | 6.5 | D | GLADDEN |
| 39 | 6.5 | D | SHIPLEY |
| 40 | 7.5 | H.H. | ELMORE |
| 41 | 7.5 | H.H. | ROBINSON |
| 42 | 12.0 | DINO | THOMAS |
| 43 | 7.5 | DINO | LAMBERT |
| 44 | 7.5 | DINO | SPARKMAN |
| 45 | 6.5 | DINO | EDMONDS |
| 46 | 6.5 | H.H. | SNEED |
| 47 | 6.5 | H.H. | BARHAM |
| 48 | 6.5 | DINO | COLAMAN |
| 49 | 6.5 | DINO | T. BROOKS |
| 50 | 6.5 | DINO | BOOKER |
| 51 | 12.0 | DINO | HOWARD |
| 52 | 6.5 | DINO | DAVIS |
| 53 | 6.5 | DINO | DAVIS |



REVISED: 3-24-69



0300222

DATE: 7-19-71

JAY:

7/19/71

| CLASS | NAME | PRESENT | LATE | EXCUSED | SICK | AWOL | COURT | VAC. | SUSPENDED |
|-------|-------------------|---------|------|---------|------|------|-------|------|-----------|
| D | BARHAM, DEWEY | | | | | | | | |
| T | BATTLE, J. | | | | | | | | |
| D | BOBBITT, J. | | | | | | | | |
| D | BOSWELL, EARL | | | | | | | | |
| D | BRICE, H. J. | | | | | | | | |
| D | BROOKS, THOMAS | | | | | | | | |
| D | BURRELL, F. R. | | | | | | | | |
| H | BUTLER, MELVIN | | | | | | | | |
| G | CHAELOU, P. J. | | | | | | | | |
| D | CHAMBERS, H. | | | | | | | | |
| H | CHANEY, O. L. | | | | | | | | |
| G | CHASE, ALBERT | | | | | | | | |
| M | CHUNG, D. M. | | | | | | | | |
| M | CODY, K. E. | | | | | | | | |
| D | CONNION, JOHN | | | | | | | | |
| W | CONNER, R. | | | | | | | | |
| D | CORNWELL, A. | | | | | | | | |
| D | COX, DAVID G. | | | | | | | | |
| D | CROCKETT, J. | | | | | | | | |
| D | CURETON, HENRY | | | | | | | | |
| W | DAVIS, S. | | | | | | | | |
| D | DAVIS, Wm. H. | | | | | | | | |
| L.F. | DEAN, ROBERT | | | | | | | | |
| L.F. | DELP, C. E. | | | | | | | | |
| L.F. | DeSTEFANO, Wm. | | | | | | | | |
| D | DOGGETT, JAMES | | | | | | | | |
| D | DORSEY, E. B. | | | | | | | | |
| D | DUKES, J. | | | | | | | | |
| H | DYSON, C. P. | | | | | | | | |
| D | EDMONDS, WILLIE | | | | | | | | |
| D | ELLIS, LAWRENCE | | | | | | | | |
| D | ELMORE, ELWOOD | | | | | | | | |
| W | ENGLISH, S. | | | | | | | | |
| D | FEATHER, WADE | | | | | | | | |
| H | FERGUSON, GORDON | | | | | | | | |
| W | FORSTER, G. | | | | | | | | |
| H | FRIERSON, R. | | | | | | | | |
| L.F. | GEPHARDT, WILLIAM | | | | | | | | |
| M | GERHARD, F. | | | | | | | | |
| D | GLADDEN, ARTHUR | | | | | | | | |
| W | GOODMAN, M. | | | | | | | | |
| D | HARTMAN, EARL | | | | | | | | |
| D | HERSHMAN, D. | | | | | | | | |
| M | HEYWARD, S. | | | | | | | | |
| D | ISENNOCK, W. | | | | | | | | |
| D | JACKSON, R. C. | | | | | | | | |
| D | JENDRA, LARRY | | | | | | | | |
| D | JENIFER, FRANCIS | | | | | | | | |
| D | JOHNSON, C. V. | | | | | | | | |
| D | KEMP, G. | | | | | | | | |
| M | KENDALL, B. | | | | | | | | |
| M | KNAPP, L. | | | | | | | | |

JENDRA
EXHIBIT NO. 7
D. SMITH

Jendras
7/19/71
EXHIBIT NO. 7
T. SHELTON

0300240

DAILY ATTENDANCE RECORD

DATE: _____

DAY: _____

| CLASS | NAME | PRESENT | LATE | EXCUSED | SICK | AWOL | COURT | VAC. | SUSPENDED |
|-------|------------------|---------|------|---------|------|------|-------|------|-----------|
| M | KOLAR, Wm. | | | | | | | | |
| D | LAMBERT, GEO. | | | | | | | | |
| D | LEWIS, J. | | | | | | | | |
| L.F. | McMILLAN, T. | | | | | | | | |
| L.F. | MANGIONE, BENNY | | | | | | | | |
| L.F. | MOORE, M. | | | | | | | | |
| D | MUHL, FLAYE | | | | | | | | |
| D | MYERS, W. | | | | | | | | |
| M | NATHANIEL, CHAS. | | | | | | | | |
| T | PEYTON, JOSEPH | | | | | | | | |
| H | QUICKLEY, ALONZO | | | | | | | | |
| D | RAGSDALE, ANDREW | | | | | | | | |
| L.F. | RAY, SAM | | | | | | | | |
| W | RICKS, REDDICK | | | | | | | | |
| H | RIDDICK, D. | | | | | | | | |
| T | ROBBINS, R. | | | | | | | | |
| D | ROBINSON, JOSEPH | | | | | | | | |
| H | ROBINSON, L. | | | | | | | | |
| D | SAVAGE, W. | | | | | | | | |
| W | SCHMIDT, BERNARD | | | | | | | | |
| H | SCOTT, Wm. | | | | | | | | |
| G | SEABREASE, EDW. | | | | | | | | |
| D | SHOEMAKER, R. | | | | | | | | |
| L.F. | SMITH, EDGAR | | | | | | | | |
| D | SNEED, J. | | | | | | | | |
| M | SO, C. Y. | | | | | | | | |
| D | SPARKMAN, JAMES | | | | | | | | |
| H | STEPHENS, H. | | | | | | | | |
| H | TAYLOR, WILBERT | | | | | | | | |
| D | THOMAS, W. | | | | | | | | |
| H | TROUT, ROBERT | | | | | | | | |
| D | VANCE, ROBERT | | | | | | | | |
| M | WAGNER, ELLWOOD | | | | | | | | |
| H | WARREN, C. | | | | | | | | |
| D | WARREN, W. | | | | | | | | |
| D | WELDON, BURLINE | | | | | | | | |
| D | WELLS, B. E. | | | | | | | | |
| L.F. | WEST, PHILLIP | | | | | | | | |
| D | WILHELM, C. | | | | | | | | |
| D | WILLIAMS, LOUIS | | | | | | | | |
| D | WILLIAMS, R. L. | | | | | | | | |
| D | WILLIS, WALTER | | | | | | | | |

0300239

SENILITY LIST

ORIGINAL
(Red)

| | | | |
|----------|----------------------|----------|------------------|
| 6/15/41 | Walter Willis | 7/25/62 | David Allen |
| 11/13/44 | Walter Butler | 9/17/62 | Louis M. Shipley |
| 9/15/45 | B. [unclear] | 11/26/62 | Herman Brooks |
| 11/13/45 | Lawrence Ellis | 6/25/63 | Elwood Elmore |
| 1/5/49 | Earl Hartman | 8/7/63 | Francis Jenifer |
| 1/5/50 | George Lambert | 4/15/64 | Edgar Smith |
| 9/5/50 | Burline Weldon | 5/20/64 | Robert Trout |
| 3/16/51 | Willie Edmonds | 9/2/64 | John Conion |
| 10/1/52 | Flaye Muhl | 11/4/64 | W. Savage |
| 7/1/53 | Alonzo Quickley | 1/29/65 | Louis Williams |
| 1/1/54 | Gordon Ferguson | 3/30/65 | Bernard Schmidt |
| 1/1/54 | Sam Ray | 4/2/65 | William H. Davis |
| 10/26/54 | George Gephardt, Jr. | 6/23/65 | Albert Chase |
| 2/22/54 | Edward Seabrease | 6/29/65 | Henry Cureton |
| 4/23/55 | Reddick Ricks | 7/6/65 | Andrew Ragsdale |
| 9/10/55 | Thomas Brooks | 7/19/65 | Dewey Barham |
| 10/15/55 | Joseph Robinson | 8/27/65 | James Sparkman |
| 4/21/56 | Arthur Gladden | 6/28/66 | R. C. Jackson |
| 2/13/57 | John Stebodnick | 7/5/66 | O. L. Chaney |
| 6/15/57 | Joseph Peyton | 7/12/66 | B. E. Wells |
| 6/26/57 | Earl B. Swell | 10/7/66 | W. Thomas |
| 8/8/57 | Wade Feather | 10/24/66 | E. J. Watters |
| 7/28/59 | William Kolar | 1/29/67 | Wm. DeStefano |
| 4/1/60 | Larry Jendras | 4/4/67 | H. Chambers |
| 5/6/60 | James Doggett | 4/18/67 | J. Bobbitt |
| 5/29/61 | David G. Cox | 6/30/67 | J. Dukes |
| 9/61 | Wilbert Taylor | 7/10/67 | C. V. Johnson |
| 9/3/61 | William Scott | 8/3/67 | E. V. Ransom |



0310225

SENIORITY LIST

ORIGINAL
(Red)

| | | | |
|----------|-------------------|---------|---------------|
| 10/3/67 | A. Cornwell | 2/19/70 | F. R. Burrell |
| 11/6/67 | L. Gibson | 2/22/70 | L. Sauer |
| 1/4/68 | D. R. ... | 3/24/70 | J. Moultrie |
| 1/4/68 | D. R. ... | 3/30/70 | N. G. Conrad |
| 6/1/68 | W. E. Wilburn | 4/6/70 | C. E. Delp |
| 6/26/68 | J. Sneed | 4/9/70 | Thomas Little |
| 8/8/68 | G. MacNeal | 4/14/70 | J. Battle |
| 9/24/68 | J. C. Blackiston | 4/14/70 | Ben Williams |
| 10/24/68 | D. Hershman | 5/8/70 | C. Cole |
| 12/23/68 | Robert Dean | 5/18/70 | M. Jones |
| 1/7/69 | P. J. Chaellou | | |
| 2/23/69 | Philip West | | |
| 3/18/69 | Charles Nathaniel | | |
| 4/1/69 | C. Denford | | |
| 4/9/69 | Ellwood Wagner | | |
| 4/15/69 | Edw. Zahradka | | |
| 9/6/69 | E. B. Dorsey | | |
| 9/8/69 | R. Hershman | | |
| 9/17/69 | William Gephardt | | |
| 9/22/69 | R. L. Williams | | |
| 10/7/69 | R. Snyder | | |
| 10/14/69 | R. Henderson | | |
| 11/10/69 | S. English | | |
| 11/10/69 | W. Adams | | |
| 11/26/69 | W. Romine | | |
| 12/31/69 | A. A. Adcock | | |
| 1/2/70 | L. Winn | | |
| 1/3/70 | R. L. Collins | | |
| 1/21/70 | D. Chappell | | |

Revised copy 5/19/70

0370220

ROD FLYER, INC.

ORIGINAL
(Recd)

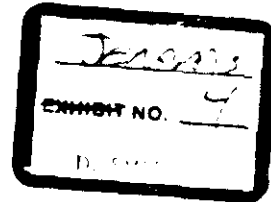
Engineering-Lewis Industries, Inc.

P. O. BOX 5495

BALTIMORE MARYLAND 21237

688-614

27 May 1971



TO: F. Jenifer, W. Savage, H. Cureton, L. Jendras, John Czyzia.

SUBJECT: Safety Program

June 10, 1971 at 3:30 P.M. we will hold an accident review meeting.

The committee selected for this meeting consists of the following persons: C. Smith, W. Savage, John Czyzia, L. Jendras, Mr. C. Durham. Safety Representative with U.S.F. & G. will be present to observe, offer advice and guidance to safe driving practices.

Due to the continuation of an accident reviewed at the meeting of May 13, 1971, we have selected the same committee members for this meeting.

The following driver is scheduled for review at this time:

H. Cureton Date of Accident 3-3-71 R.T. Inc. #3033

Please be present promptly at 3:30 P.M. so we may proceed without delay.

Charles O. Smith

COS/vve

cc: C. Durham
U.S.F. & G.



0300236

ORIGINAL
(Red)

INTERVIEW WITH LAWRENCE WALTER JENDRAS

1. Lawrence Walter Jendras, being of full age and first duly sworn on oath, depose and state the following:

1. I reside at 6617 Danville Avenue Baltimore, Maryland 21224. I am currently employed by Browning-Ferris, Inc. ("BFI").
2. I began leasing my truck to Robb Tyler, Inc. in 1959. I began working as a sub-contractor for Robb Tyler, Inc. in 1960.
3. In the late 1960s, I transported wastes to the Sauer landfill as an employee of Robb Tyler, Inc. Robb Tyler, Inc. used the Sauer Landfill only sporadically prior to the Rosedale landfill's closing. Robb Tyler, Inc. did not use the Sauer Landfill heavily prior to that time, but when the Rosedale landfill closed there was no place else to take waste. I do not recall going to the Sauer Landfill at any time other than for a few months after the Rosedale Landfill closed.
4. Dumping at the Sauer Landfill occurred over an extensive area between North Point and Patterson High School. Lombard Street or its predecessor did not cut through the landfill. The dumping there occurred on both sides of what is now Lombard Street.
5. North Point Trash hauled for Western Electric in the 1960s. I specifically recall seeing Western Electric waste on a Sauer truck at the landfill. Wires and wire casings were hanging over the edge of the truck. I do not know whether the waste contained chemicals. During the period between when Robb Tyler's Rosedale landfill closed and the Norris Farm Landfill opened, to the best of my knowledge, Sauer was still hauling for Western Electric. I recall seeing Cefaloni at the landfill with Western Electric waste during that period.
6. A General Motors employee hauled barrels of solvents, paints, and sludge from the Chevrolet Plant to the Sauer Landfill. I do not recall the employee's name, but he was called "Chevrolet Ray". The employee drove a white dump truck and a blue truck. Often the employee would dump the contents of the drums on the ground and take the drums back to the plant. Other times, he would dump the drums there.



GM 000735

ORIGINAL
(Recd)

7. Sauer hauled fly ash for Baltimore Gas and Electric Co. and Robb Tyler, Inc.'s Rosedale landfill. I do not know if Sauer also hauled it to the Sauer landfill. Bonager hauled Baltimore Gas and Electric's waste in the early 60's.

8. Container Corp. was a major customer of Sauer. The waste from that plant primarily was paper.

9. Standard Oil was a customer of Sauer's. I saw Sauer containers on the Standard Oil property.

10. Robb Tyler, Inc. hauled waste from General Motors' Chevrolet plant located on the Broening Highway. It kept trucks at the plant twenty four hours a day and employed two shifts of drivers for this work. I do not remember exactly when this hauling occurred, but I am sure it was before Browning-Ferris Industries acquired Robb Tyler, Inc. Robb Tyler, Inc. hauled primarily trash from the plant. I do not remember personally taking General Motor's waste to Sauer's.

11. I do not believe M&T Chemicals' waste went to the Sauer landfill. M&T was located on the south side, and therefore, the waste would have gone to the Reedbird Landfill.

12. I specifically recall seeing Herb Robertson's trucks at the landfill.

13. I hereby swear that the contents of this Affidavit are true and correct and are based on my personal knowledge.

Further Affiant Sayeth Not


Lawrence Walter Jendras

Sworn to and subscribed
before me this 3 day
of April, 1990.


Notary Public

My Commission Expires July 1, 1991

CONFIDENTIAL

CARBON COPY

ORIGINAL
(Red)

S T A T E M E N T

STATEMENT OF LAWRENCE JENDRAS, taken on
Wednesday, June 6, 1990, at 10:00 a.m., at 1302
Concourse Drive, Linthicum, Maryland, before E.
Duane Smith, Notary Public.

APPEARANCES:

Robert L. Gulley, Esquire,

William G. Beck, Esquire,

Gwen S. Walsh, Esquire,

On behalf of Browning

Ferris Industries

Samuel I. Gutter, Esquire,

On behalf of AT&T

Mark E. Grummer, Esquire,

On behalf of General

Motors Corporation

Reported by:

E. Duane Smith

| |
|-------------------|
| Jendras |
| EXHIBIT NO. _____ |
| T. SHELTON |

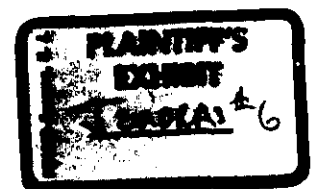
Salomon Reporting Service

SUITE 1700 • COURT SQUARE BLDG • 200 E. LEXINGTON ST • BALTIMORE, MD 21202 • OFFICE (301) 528-6700

GM 000108

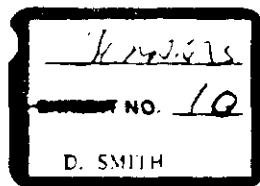
CUSTOMER LIST
(CONFIDENTIAL)

| <u>COMPANY</u> | <u>MATERIAL</u> |
|---------------------------|---|
| Continental Oil Co. | Water and oil |
| George Goodhue & Sons | Water and oil |
| Crown, Cork & Seal Corp. | Waste water and oil Solvent |
| Electro Motive Div. GMC | Detergent-water solution Waste machine oil |
| Koppers Company | Waste oil, waste water Treated chrome sludge |
| Langenfelder & Sons, Inc. | Waste water wash down |
| Warner Frushauf, Inc. | Oil and water wash down |
| J & L Industries, Inc. | Oil and water waste |
| McClung Logan, Inc. | Water wash down |
| Signode Steel, Inc. | Water and oil waste |
| Shipley Transfer, Inc. | Latex wash |
| National Can Co., Inc. | Solvents and water |
| Continental Can Co., Inc. | Mill oil and water |
| Borden Chemical Co., Inc. | Water waste |
| Discraft, Inc. | Waste solvents |
| Proctor-Silex | Neutralize water waste |
| Armco Steel Corp. | Waste oil |
| Chevron-Asphalt, Inc. | Oil waste |
| Reid-Avery, Inc. | Water waste |

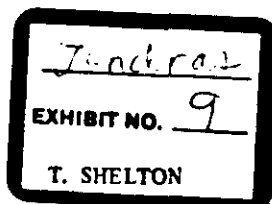


B 0051408

** D ADELUNG, J.
 D BARHAM, BEWEY
 H BARNES, H.
 T BATTLE, J.
 H BAYLOR, N.
 T BEARD, T.
 D BOBBITT, J. A.
 D BOBBITT, J. O.
 D BOSWELL, EARL
 H BRANCH, J.
 D BRICE, H.J.
 D BROOKS, THOMAS
 H BROWN, A.
 D BURRELL, F. R.
 H BUTLER, MELVIN
 G CHAELOU, P. J.
 D CHAMBERS, H.
 H CHANEY, O.L.
 M CHANG, C. S.
 G CHASE, ALBERT
 M CHUNG, D. M.
 M CODY, K. E.
 D CONNION, JOHN
 W CONNER, R.
 W CONWAY, T.
 W COOK, G.
 H CORNWELL, A.
 D COX, DAVID G.
 D CROCKETT, J.
 G CULLINGS, J.
 D CURETON, HENRY
 D DAVIS, Wm. H.
 L.F. DEAN, ROBERT
 L.F. DELP, C. E.
 L.F. DeSTEFANO, Wm.
 D DOGGETT, JAMES
 D DOGGETT, S.
 D DORSEY, E. B.
 D DUKES, J.



H DYSON, C. P.
 D EDMONDS, WILLIE
 H EDWARDS, W.
 D ELLIS, LAWRENCE
 D ELMORE, ELWOOD
 W ENGLISH, S.
 D FEATHER, WADE
 H FERGUSON, GORDON
 L.F. FRIERSON, R.
 L.F. FULLER, G.
 L.F. GEPHARDT, Wm.
 M HAM, H. C.
 L.F. HARTMAN, EARL
 D HERSHMAN, D.
 M HEYWARD, S.
 D JACKSON, R.
 D JENDRAS, LARRY
 D JENIFER, FRANCIS
 D JOHNSON, B.
 D JOHNSON, C. V.
 D JONES, J.
 D JONES, W.
 H KEITH, D.
 D KEMP, G.
 M KNAPP, L.
 D LAMBERT, GEORGE
 D LEWIS, J.
 D McCARTNEY, C.
 W McGEE, J.
 L.F. McMILLAN, T.
 L.F. MANGIONE, B.
 L.F. MOORE, M.
 D MUHL, FLAYE
 D MYERS, W.
 M NATHANIEL, CHARLES
 H NIXON, G.
 D NORRIS, H.
 T PEYTON, JOSEPH
 H QUICKLEY, ALONZO



D RAGSDALE, ANDREW
D RANSON, E. V.
L.F. RAY, SAM
W RICKS, REDDICK
H RIDDICK, D.
D ROBINSON, JOSEPH
D SAUER, L.
D SAVAGE, W.
M SCHMIDT, BERNARD
H SCOTT, Wm.
G SEABREASE, EDW.
L.F. SMITH, EDGAR
D SNEED, J.
M SO, C. Y.
D SPARKMAN, JAMES
H SUNG, T. S.
H TAYLOR, D.
H TAYLOR, WILBERT
W THARP, D.
D THOMAS, D.
D THOMAS, W.
D TROGDEN, G.
H TROUT, ROBERT
D VANCE, ROBERT
D WALTERS, P.
D WARREN, A.
D WARREN, W.
D WELDON, BURLINE
D WELLS, B. E.
L.F.W. WEST, PHILLIP
D WILLIAMS, C.
D WILLIAMS, LOUIS
D WILLIAMS, R. L.
D WILLIS, WLATER
D WRAY, L.

★★ D - - -DRIVERS
H - - -HELPERS
W - - -WELDERS
L.F. - - -LANDFILL
G - - -GREASEMAN
T - - -TIREMAN
M - - -MECHANIC
L.F.W.- - -LANDFILL WATCHMAN

ROBB TYLER, Inc.

SERVICE ORDER

NEW
ORDER

CHANGE
ORDER

DISCONTINUE
ORDER

LANDFILL
ACCOUNT
TEMPORARY
SERVICE ORDER

NEW SERVICE

OLD SERVICE

Palm Oil Recovery Inc.

NAME

P.O. Box 6657

ADDRESS

Balti. Md. 21219

CITY

48594

CUSTOMER NO.

Gate #11 - Sparrows Point - Bethlehem Steel

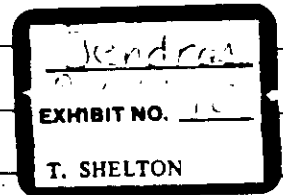
SERVICE LOCATION

477-3414

PHONE

L. Hierline

AUTHORIZED BY



TYPE OF SERVICE

Open Truck Time MTWTFSCI \$ O T Time MTWTFSCI \$

LP Cont. MTWTFSCI \$ LP Cont. MTWTFSCI \$

Dumpmaster MTWTFSCI \$ Dumpmaster MTWTFSCI \$

T-6yd Dumpster MTWTFSCI \$ *25.00 + 15.00/hr* Dumpster MTWTFSCI \$

Dinosaur MTWTFSCI \$ Dinosaur MTWTFSCI \$

Huge Haul MTWTFSCI \$ Huge Haul MTWTFSCI \$

Compaction Unit MTWTFSCI \$ Compaction Unit MTWTFSCI \$

EFFECTIVE DATE

22 July 1969

CONTAINER PLACED

CONTAINER TAKE OUT

\$ GROSS ROUTE EARNINGS \$

FIRST PICK UP

LAST PICK UP

NO. TICKET CARD ROUTE NO. TICKET CARD

REFERRED BY

SPECIAL INSTRUCTIONS:

Place at Gate 11 - Sparrows Point - Bethlehem Steel

Bethlehem Steel - strips, sheet & Tin Mill

SALESMAN

PER

DATE

DISPATCHER

VICE-PRESIDENT

PRESIDENT

B 0041749

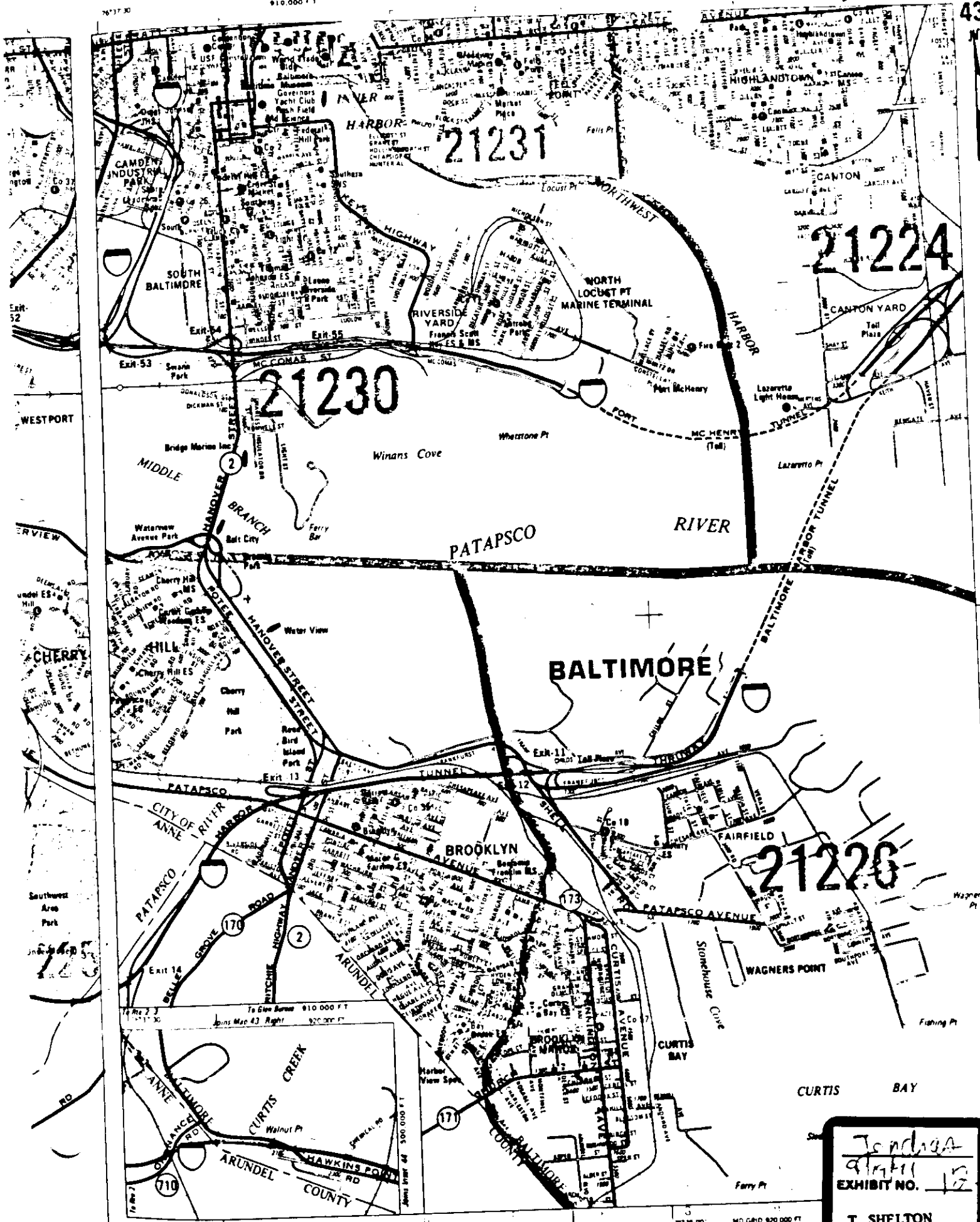
Levellan
9/19/91 11
EXHIBIT NO. 11
T. WELTON



Joins Map 36

920,000 FT

MO. MAPS & CO. 1111 N. 1ST ST. ST. LOUIS, MO. 63101



920,000 1:1

920,000 1:1

Joins Map 44

920,000 1:1

Jordana
EXHIBIT NO. 12
T. SHELTON